

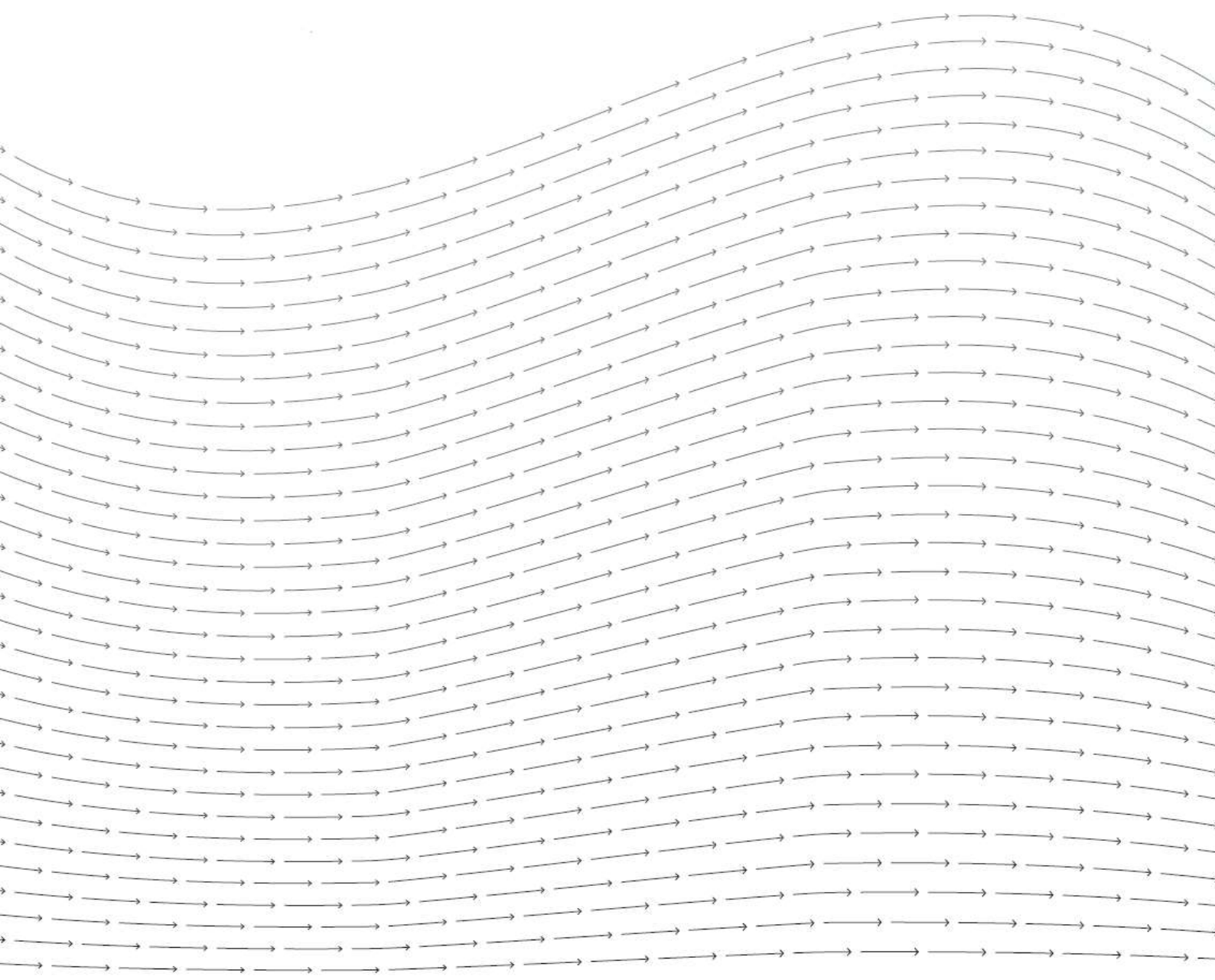


Acheilidh Wind Farm

Planning Statement

Energiekontor UK Ltd

April 2024



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1 INTRODUCTION

Background

- 1.1 This Planning Statement has been prepared to accompany the submission of an application for consent under Section 36 of the Electricity Act 1989 by Energiekontor UK Ltd ('the Applicant') to the Scottish Ministers for a proposed renewable energy development comprising 12 wind turbines, an energy storage facility and associated infrastructure for a period of 35 years ('the proposed development') on land located approximately 7.6km south-east of Lairg and 8km to the west of Pittentrail, Highlands¹ ('the Site').
- 1.2 This Planning Statement outlines the key characteristics, details of the proposed development, and summarises the relevant planning policy context, before providing an appraisal of the proposed development against the Development Plan and other relevant material considerations. In doing so, this Planning Statement demonstrates the need for the proposed development and provides justification for the granting of consent.
- 1.3 An Environmental Impact Assessment (EIA) has been undertaken for the proposed development and an Environmental Impact Assessment Report (EIAR) has been submitted as part of this application. This Planning Statement should be read in conjunction with the EIAR submitted and draws evidence from it to demonstrate compliance where applicable.

The Applicant

- 1.4 Energiekontor UK Ltd is a wind energy development company with offices in Glasgow, Edinburgh, and Leeds. The company was formed in 1999 and develops onshore wind farms throughout the United Kingdom. The company has built eight wind farms in the UK with many more currently in the development process.
- 1.5 Energiekontor UK Ltd is part of the Energiekontor Group. The parent company, Energiekontor AG, was established in 1990 in Bremerhaven in Northern Germany. It has since grown to become one of the leading wind energy companies in Europe, having built more than 118 wind farms across the continent.

Purpose of this Planning Statement

- 1.6 Along with Section 36 consent, deemed planning consent is also sought under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) (the TCPA).
- 1.7 The purpose of this Planning Statement is therefore to set out the context and rationale for the proposed development and to demonstrate how it accords with the applicable planning policy framework against which the planning application must be assessed. In

¹ When measured from the centre point of the Site

doing so, the objective of this Planning Statement is to provide clear and robust justification for the granting of consent for the proposed development.

EIA Screening and Scoping

- 1.8 Generally, a proposal is screened against the EIA Regulations to ascertain whether a development would constitute EIA development. The Proposed Development is of a type described within Schedule 2 of the EIA Regulations as an installation for the harnessing of wind power for energy productions. It is not located within a 'sensitive area' as defined by the EIA Regulations; however, the project would exceed both of the applicable thresholds as it involves more than two wind turbines with hub heights of more than 15 metres ('m'). The requirement for an EIA was therefore determined based on whether the project would be likely to give rise to significant effects on the environment by virtue of its size, nature, or location. The scale, nature and location of the Proposed Development were considered such that, in order to allow the environmental impacts of the project to be appropriately considered throughout the application process, an EIA Report would be required.
- 1.9 Pursuant to the provisions of Regulation 17 of the Electricity Act (Environmental Impact Assessment) (Scotland) Regulations 2017, in June 2022 the Applicant submitted an EIA Scoping Report to accompany a request for an EIA Scoping Opinion from the Scottish Ministers. This Scoping Report is included within the EIAR as Technical Appendix 1.1.
- 1.10 The Scottish Ministers issued their Scoping Opinion in October 2022 which set out the topics to be addressed in the EIA. This Scoping Opinion is included within the EIAR as Technical Appendix 1.2. Scoping is a voluntary process and the responses received as part of this process are advice associated with the methodologies put forward by the Applicant for the determination and potential for likely significant environmental effects.
- 1.11 The EIA Scoping process therefore provides an accompanying background to the planning context for the policy analysis associated with the proposed development.

Structure of this Statement

- 1.12 This remainder of this Planning Statement is structured as follows:
- **Section 2 – The Proposed Development:** provides a summary of the main components associated with the Proposed Development, an overview of the Site and its surroundings, as well as a summary of the design evolution;
 - **Section 3 – Renewable Energy Policy Framework:** provides a summary of the wider renewable energy policy context relevant to the Proposed Development;
 - **Section 4 – Legislative & Planning Policy Framework:** outlines and surmises the relevant statutory Development Plan and other material considerations relevant to the Proposed Development
 - **Section 5 – Planning Assessment:** provides a planning appraisal of the Proposed Development against the relevant provisions of the Development Plan and other material considerations including principle and acceptability of the proposed development;
 - **Section 6 – Conclusions:** presents the overall summary and conclusions.

2 THE PROPOSED DEVELOPMENT

Introduction

- 2.1 This section describes the various elements associated with the Site and the proposed development, whilst providing details of what processes will take place at the various stages of the project's lifecycle (construction, operation, and decommissioning).

The Site

- 2.2 The Site, shown in EIAR Volume 2, Figure 3.1, is located approximately 7.6km south-east of Lairg and 8km to the west of Pittentrail² and lies within the administrative boundary of the Highland Council.
- 2.3 The Site spans an area of approximately 2,078 hectares and is situated within the Caithness and Sutherland area in the Highlands. The Site is primarily open moorland used for livestock grazing by local crofting associations and areas of native woodland plantations. The Site boundary partially includes the consented Lairg II Wind Farm to facilitate access to the Site via the A836 for the delivery of turbine components.
- 2.4 The topography of the Site reaches a high point of 336m Above Ordnance Datum (AOD) at An Stoc-bheinn in the north and then slopes down towards the shores of Loch Cracail Mor and Loch Cracail Beag to the east. The topography then rises again towards Meall na Tulchainn (286 AOD) in the south. The northern boundary is formed partially by the Far North Railway Line which connects Inverness to Thurso and Wick as well as the A839 which travels from the Mound in the east and terminates in Lairg to the west. The closest trunk road is the A9 which terminates in Scrabster.
- 2.5 Within 5km of the site, the settlements of Pittentrail, Muie, Rogart, Little Rogart are located to the east/ north-east of the site whilst the settlement of Lairg lies to the north-west. Other settlements outwith 5km include Rhilochan, Knockarthur, East Langwell and West Langwell.
- 2.6 A number of watercourses cross the Site. This includes Allt Loch na Soabhaidhe which drains the site from north to south and associated drainage channels. Another watercourse, Feith Buidhe, travels from west to east joining Allt Loch na Soabhaidhe and eventually drain into Loch na Soabhaidhe. Other watercourses which lie within the Site boundary include Allt Ach' na h-Uaighe. There are a total of five lochans contained within the Site, namely Loch Cracail Mor, Loch Cracail Beag, Loch na Soabhaidhe, Lochan na Faolaig and Am Bru Lochan.
- 2.7 The Site sits between two component areas of the Strath Carnaig and Strath Fleet Moors Site of Scientific Interest (SSI) and Special Protection Area (SPA), designated for Hen Harrier. The designation lies partially within the Site boundary to the north and immediately bounds the Site to the south.

² When measured from the centre point of the Site

Description of the Proposed Development

- 2.8 The proposed development is illustrated on Figure 3.1 within Volume 2 of the EIAR and would consist of the following principal components:
- 12 wind turbines;
 - Associated turbine compound areas including foundations and hardstanding areas for erecting cranes at each turbine location;
 - On-site tracks connecting each turbine;
 - Extension of the consented Lairg II on-site access track to connect Lairg II and the Proposed Development;
 - Two watercourse crossings, as set out in EIAR Volume 4, Technical Appendix 8.1;
 - An energy storage compound to store batteries with a 5MW capacity which would be within the construction compound footprint;
 - Underground cables linking the turbines to the substation;
 - Up to three borrow pit search areas for the extraction of stone on-site (indicated on Figure 3.1 as borrow pit search areas);
 - A temporary construction compound including provision for onsite concrete batching;
 - An on-site 132kV substation to provide a grid connection, and;
 - Outline Habitat Management provisions as proposed within EIAR Volume 4, Technical Appendix 9.3.
- 2.9 The proposed development would be time-limited to 35 years from the first date of commercial operation. The construction phase would last approximately eighteen months and decommissioning would last approximately six months.
- 2.10 Deemed planning permission is sought to permit a period of ten years between the date of the Decision Notice and expiry of consent (should works not be commenced) rather than the usual three years.
- 2.11 The proposed development would provide approximately 79.2MW of installed capacity (depending on the turbine model chosen) in addition to 5MW of battery storage capacity. It is estimated by the Applicant that this installed capacity could generate approximately 279,731MWh of renewable electricity each year which would be expected to power the equivalent of approximately 80,800 homes on average each year³, or provide 1.55 million full battery charges for electric vehicles per year⁴.
- 2.12 The planning application includes an allowance for micrositing of the wind farm infrastructure. If planning permission is granted, the Applicant will commission detailed ground investigations and geotechnical surveys to determine the ground conditions. A 100m micrositing allowance is sought for the wind turbines (with restrictions in place to

³ Based on an average annual UK domestic electricity consumption figure of 3,462KWh as set out in the BEIS publication "Energy Consumption in the UK" December 2023.

⁴ Based on a large electric vehicle requiring 180kWh for a full charge.

safeguard constraint buffers as applicable), and all other new elements of the Proposed Development.

- 2.13 Turbines would be of tubular steel construction, finished in a typical off-white matt colour and comprise three blades. The final turbine choice would be made post-consent during the procurement phase, but for the purposes of this EIA Report, representative candidate turbines of 200m and 230m tip with 155m rotor diameter and hub heights of 122.5m and 152.5m, respectively.
- 2.14 Turbine co-ordinates, subject to a maximum of 100m micro-siting dependent upon localised constraints, are as follows within Table 2.1.

Table 2.1: Proposed Wind Turbine Coordinates (subject to a 100m micro-siting allowance)

Turbine	Easting	Northing	Tip Height (m)	Hub Height (m)
1	263973	902805	200	122.5
2	263681	902382	200	122.5
3	264309	902110	230	152.5
4	264935	902130	200	122.5
5	263913	901667	230	152.5
6	264701	901684	230	152.5
7	263626	901297	230	152.5
8	264584	901195	200	122.5
9	263574	900836	200	122.5
10	264289	900768	230	152.5
11	264523	900288	230	152.5
12	263902	900405	200	122.5

3 RENEWABLE ENERGY POLICY FRAMEWORK

Introduction

- 3.1 This section of the Planning Statement provides an overview of the renewable energy legislative and policy framework relevant to the proposed development. It covers International, European, UK and Scottish energy policy and legislation. It provides an overview of the relevant international agreements and targets which set the policy criteria for national energy policy and guidance.
- 3.2 The framework outlined under the respective subheadings below demonstrate clear and consistent policy support for renewable energy, as well as the need for further transition to low carbon electricity generation. There is firm support for onshore wind developments as part of a diverse energy strategy, with an overarching intention that renewable energy developments will make significant a contribution to achieving the legally binding renewable energy targets established by the renewable energy policy framework.
- 3.3 An emphasis on Net Zero and Climate Emergency at UK, Scottish and The Highland Council (THC) level places significant weight on the overarching policy and legislative framework as a material consideration.

International and European Context

International Agreements and Obligations – The COP21 Paris Agreement

- 3.4 The Paris Agreement was adopted on 12th December 2015 by 196 parties to the UN Framework Convention on Climate Change, creating a legally-binding, international agreement towards tackling climate change. The UK is one of the signatories and is legally bound to the Paris Agreement.
- 3.5 The Paris Agreement came into force on November 4th, 2016, having been ratified by at least 55% (the point which triggers ratification) of the 196 countries. The meeting in Paris was considered a make-or-break opportunity to secure an international agreement on the approach to tackling climate change, commitment to a longer-term goal or near zero emissions in the second half of the century and supporting the transition to a clean economy and low carbon security.
- 3.6 The respective Governments involved agreed:
- A long-term goal of keeping the increase in global average temperature to well below 2 degrees Celsius above pre-industrial levels;
 - To aim to limit the increase to 1.5 degrees Celsius since this would significantly reduce risks and the impacts of climate change;
 - On the need for global emissions to peak as soon as possible, recognising that this will take longer for developing countries;

- To undertake rapid reductions thereafter in accordance with the best scientific guidance available.

3.7 Countries are legally obliged to make new post-2030 commitments to reduce emissions every five years.

UK Energy Policy

3.8 Energy policy is a matter resolved to Westminster; the UK Government have control of the overall direction of UK-level energy policy. However, although the overarching position is that energy policy is not a devolved matter, various documents have embraced and encouraged actions across the UK, with devolved Governments have an important part to play, particularly via the consenting of projects.

3.9 Overall, the UK Government is legally committed to the delivery of a reduction in emissions to 'net zero' by 2050 (with the Scottish Government committing to 2045).

3.10 The CCC published a landmark report entitled 'Net Zero – UK's Contribution to Stopping Global Warming' in May 2019. The foreword sets out that "the CCC has reviewed the latest scientific evidence on climate change, including last year's IPCC special report on global warming of 1.50C and considered the appropriate role of the UK in the global challenge to limit future temperature increases." It adds, "Net Zero is a more fundamental aim than previous targets. By reducing emissions produced in the UK to zero, we also end our contribution to rising global temperatures."

3.11 The report makes recommendations for the UK economy including a new tougher emissions target of net zero green gases by 2050, therefore ending the UK's contribution to global warming within 30 years. This replaces the previous target of an 80% reduction by 2050 from a 1990 baseline and accords with the obligations under the Paris Agreement. The report makes clear that at a UK level "current policy is insufficient for even the existing targets."

3.12 In June 2019, the Prime Minister Theresa May brought forward legislation to turn Net Zero into law, and the UK became the first major economy in the world to pass legislation to end its global warming contribution by 2050. The target is now legally binding via the provisions of the Climate Change Act 2008 (2050 Target Amendment) Order 2019.

3.13 The Institute of Government published a report in September 2020 stating that "not nearly enough progress had been made a year on from the net zero approach being adopted". The CCC Annual Report to Parliament (June 2020) offered an update on the progress towards Net Zero following adoption of the Net Zero Target.

3.14 The report states that in terms of building a resilient post-Covid economy, "*success requires that net zero emissions and improved climate resilience are integral,*" whilst investments towards achieving net zero will "*help create jobs and stimulate economic recovery, whilst changing the course of UK emissions and improving our resilience to climate change.*"

3.15 The National Audit Office offered an update report 'Achieving Net Zero' in December 2020 regarding progress on achieving Net Zero following the change to legislation in June 2019.

- 3.16 Key points from the report include that reducing emissions to achieve net zero will require wide ranging changes to the UK economy including further investment in renewable energy, changes “*unprecedented in their overall scale.*” Page 22 of the report sets out that a national fourfold increase in renewable energy capacity is needed.
- 3.17 The CCC set out the Sixth UK-wide carbon budget in December 2020 with recommendations from 2033 to 2037. This sets out the path the UK must follow to achieve Net Zero by 2050.
- 3.18 A key point includes the CCC's clear statement that new demand for electricity will mean that demand will rise 50% by 2035 and perhaps doubling or trebling by 2050.
- 3.19 The UK Energy White Paper in December 2020 set out a major shift in UK policy and highlights the importance of renewable forms of electricity. Page 38 states that a key objective is to “*accelerate the deployment of clean electricity generation through the 2020s*”.
- 3.20 The UK Government then published the UK Net Zero Strategy in October 2021 which sets out the long-term pathway to net zero by 2050, setting out the UK Government's plans to reduce emissions from each sector of the economy. Its sets out within page 103 that the Government will support sustained deployment of low carbon generation and that there is a need to continue to drive rapid deployment of renewables.

Scottish Climate Change and Energy Policy

- 3.21 The Scottish government has devolved authority over matters relating to the implementation of energy policy and there have been a number of policy documents and legislation produced in recent years dealing with climate change and renewable energy. The documents summarised below are considered to set out the Scottish Government's commitment to reducing carbon emissions via the promotion and development of renewable energy and the contribution this can make to energy generation throughout Scotland.

Climate Change (Scotland) Act 2009

- 3.22 The Climate Change (Scotland) Act 2009 provides a long-term framework to ensure a reduction in greenhouse gas emissions by 80% by 2050, with an interim milestone of 42% by 2020.
- 3.23 Whilst successive bills and legislation have increased the target to net zero emissions, as reported below, the Climate Change (Scotland) Act 2009 provides the wider context for Scotland's ambitious targets for the reduction of carbon emissions.

Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

- 3.24 The Scottish Government introduced a new Climate Change (Emissions Reduction Targets) (Scotland) Bill to Parliament on 23rd May 2018. The Act was subsequently passed in September 2019.

3.25 The Bill raises the ambition of further reducing greenhouse gas emissions by amending the targets set out within the Climate Change (Scotland) Act 2009, hence superseding them and sets a legally binding net zero target for all greenhouse gases by 2045. This target date is five years ahead of the current date set for the rest of the UK and aims to ensure Scotland contributes to the worldwide efforts to deliver on the Paris Agreement. It requires net zero by 2045 at the latest.

3.26 Whilst the target of net zero for 2045 remains, a statement made by the Climate Change Committee explained that the delay of the governments Climate Change Plan has meant that the goal of achieving a 75% reduction target by 2030 is fundamentally unachievable. As such, on the 18th of April 2024, the Scottish Government stated that:

'In light of the UK-wide Climate Change Committee's (CCC) recent rearticulation that the 2030 target for emissions reduction is not achievable, this will no longer be a statutory target.'

3.27 Despite the removal of the 75% emission reduction target, setting a net-zero target by 2045 is an ambitious target and places Scotland at the forefront of efforts to combat climate change. Therefore, through this Act and other associated Government strategies and policies, the Scottish Government aim to provide certainty and credibility to businesses, industries and investors that are vital partners in Scotland's transition to a low carbon economy.

3.28 The trajectory of net zero targets and the actions required to meet them have become steeper following the passing of the 2019 Act into law.

Climate Change Emergency

3.29 In April 2019, the Scottish Government declared a climate change emergency, which instigated a commitment to enforcing stronger climate change proposals and targets whilst delivering support to the transition to a low carbon economy. It is anticipated at this stage that this declaration will deliver revised approaches and shape future guidance for a range of policy decisions, affecting transport, oil and gas and renewable energy strategy.

3.30 The Highland Council opted to follow suit and declare its own climate emergency in May 2019.

Scottish Renewable Energy Policy

3.31 This section identifies recent shifts in Scottish Renewable Energy Policy and summarises the key documents including:

- The Scottish Energy Strategy (2017);
- The Committee on Climate Change (CCC) advice to the Scottish Government on recovery from the Covid-19 crisis (May 2020);
- The recommendations from the Scottish Government's Advisory Group on Economic Recovery (June 2020);

- The Report from the Climate Emergency Response Group (CERG) 'Eight Policy Packages for Scotland's Green Recovery' (July 2020);
- The Update to the Climate Change Plan (December 2020);
- The Scottish Energy Strategy Position Statement (March 2021);
- Scottish Government Programme for Government 2021 – 2022;
- The Onshore Wind Policy Statement (2022); and
- Draft Energy Strategy and Just Transition Plan (2023).

- 3.32 The Scottish Energy Strategy 2017 sets out the Scottish Government's overarching position on many forms of energy, including onshore wind. Specifically, it states that *"onshore wind must continue to play a vital role in Scotland's future"...**"which can be done in a way which is compatible with Scotland's magnificent landscapes."* The Energy Strategy is currently being updated, with a draft Energy Strategy accompanying the Just Transition Plan in early 2023. These reiterate the findings of the Onshore Wind Policy Statement, and aim to drive Scotland towards Net Zero by 2045, with a clear focus on the delivery of 12GW of new installed capacity by 2030.
- 3.33 The CCC advice to the Scottish Government in May 2020 came after the Scottish Government approached the CCC requesting advice on a green recovery for Scotland in light of the Covid 19 pandemic. Within its response, the CCC sets out that *"reducing greenhouse gas emissions and adapting to climate change should be integral to any recovery package."* The CCC also note that many of the large infrastructure programmes are *"critical to preparing for climate change and achieving net zero emissions."* Reference is specifically made to onshore wind as part of the large infrastructure required, and the CCC add that *"acceleration of these projects should take priority."*
- 3.34 The Scottish Government's Advisory Group on Economic Recovery was formed to provide input to Government on Scotland's economic recovery post-Covid 19. The report provided to the Government in June 2020 recognises that there is a need to *"grasp the tremendous opportunities for a green recovery which such a transition offers", and that the net zero imperative presents "an increased and urgent challenge for existing policy, planning and licencing frameworks to identify and consent suitable projects with a sufficient level of impact in the light of the climate emergency"*.
- 3.35 Shortly following the Economic Advisory Group's Report, the Report of the Climate Emergency Response Group (CERG) to the Scottish Government was published in July 2020, titled 'Eight Packages for Scotland's Green Recovery'. The CERG Report states that it *"encourages the Scottish Government to embrace these policy packages as key components of its economic recovery plan for a fairer and greener Scotland," and that these should be reflected in key policy milestones. It states that green recovery must be investment led, and the Scottish Government must create "an attractive policy environment for investors, resulting in a stronger business case for a climate neutral economy."* The Report concludes with the view that *"Scotland's response to Covid-19 is a massive opportunity to catapult and prioritise a just transition to a net carbon economy"*.
- 3.36 In December 2020, the Scottish Government published an update to the Climate Change Plan, covering the period 2018 to 2032, and responding to the new requirement in Scotland to meet net zero by 2045. Page 9 in particular sets out the strategic goal of

achieving “decarbonisation across the whole energy system, including electricity, transport, industry and buildings” and “integrating climate change action into all of the decisions we make across Government”.

- 3.37 The Update sets out the intention to prepare an Energy Strategy in 2021 and an updated Electricity Generation Policy Statement by 2022. Page 19 refers to a 2032 ‘pathway’ whereby decisions take account of benefits across all energy sectors as well as economic and social benefits they create across Scotland. By 2032 it is intended that we will generate at least the equivalent of 50% of our energy from renewable sources. It is stated on page 18, importantly, that *“there will be a substantial increase in renewable generation, particularly through new offshore and onshore wind capacity”*.
- 3.38 The planning and consenting systems are recognised (p78) as remaining a *“critical enabler of rapid renewables deployment in Scotland”*. The Climate Change Plan Update expects that renewable energy generation is expected to increase substantially between now and 2032 with an expectation of the development of between 11 and 16GW of new capacity to meet a rapidly increasing electricity demand.
- 3.39 The Scottish Energy Strategy Position Statement (March 2021) reinforces the consistent theme of the Scottish Government's support for a green, fair, and resilient economy. Onshore renewables is addressed within section 8 of the Statement where it is reported that *“the continued growth of Scotland's renewable energy industry is fundamental to enable us to achieve our ambition of creating sustainable jobs as we transition to net zero”*. It adds that the Scottish Government *“is committed to supporting the increase of onshore wind in the right places to help meet the target of net zero.”*
- 3.40 On 20th August 2021, the SNP-led Scottish Government and the Scottish Green Party signed the Bute House Agreement which represented a formal co-operation agreement for the next five years of Government. However, on the 25th of April 2024, the Bute House Agreement came to an end. Despite the end of the Bute House Agreement, a number of policies still remain relevant to climate change legislation set out by the Scottish Government. Page 12 of the agreement set out that *“the climate emergency means we need to use the limited powers we have to accelerate the decarbonisation of our energy system...our plans will see a significant increase in electricity demand for heating and transport. To accommodate this, we will support the continued and accelerated deployment of renewable energy.”* This statement is still valid in the wider context of climate change and energy policy.
- 3.41 Subject to consultation the Government and Green Party aimed to deliver “an additional 8 to 12 GW of installed onshore wind by 2030, supported by changes to the planning system needed to permit the growth of this essential zero carbon sector”. This still remains within the Onshore Wind Policy Statement (OWPS, 2022) which replaced the previous version published in 2017 and makes it explicitly clear that seeking greater security of supply and lower cost electricity are now key drivers alongside the need to deal with the climate emergency. It requires a minimum installed capacity of 20GW of onshore wind by 2030, with an additional 12GW installed between 2023 and 2030.
- 3.42 The OWPS states that deployment of onshore wind is *“mission critical for meeting our climate targets”* as an *“affordable and reliable source of electricity generation.”*

- 3.43 The Draft Energy Strategy and Just Transition Plan was published on 10th January 2023 which builds on the Scottish Energy Strategy (2017), by setting out how targets will be delivered. The purpose of the strategy is to set out clear policy positions and a route map of actions with a focus on the decisions the Scottish Government need to take and the changes the UK Government need to make by 2030, in order to deliver a net zero energy system for Scotland by 2045.
- 3.44 The draft strategy sets out key ambitions for Scotland's energy future. Specifically in relation to onshore wind, the draft strategy aims to deliver *inter alia* an additional 12GW of onshore wind by 2030.
- 3.45 The draft strategy sets out the scale of the opportunity to transform Scotland's energy supply, with energy increasingly provided from climate-friendly renewable electricity. Onshore wind *inter alia* will assist in achieving this transformation. The Scottish Government therefore commit to the following:
- Take action to deliver an additional 12GW of installed onshore wind by 2030, as set out in the Onshore Wind Policy Statement (2022). This will increase the total energy supply from onshore wind to 20GW;
 - Working with the industry to deliver an Onshore Wind Sector Deal in 2023 to ensure deployment is maximised as well as the opportunities that flow from it;
 - Ensure that the community energy sector is represented on the forthcoming onshore wind strategic leadership group; and
 - Convene an expert group, including representatives from industry, agencies, and academia. This will provide advice to the Scottish Government on how guidance could be developed to support both peatland and onshore wind aims.

Compliance with and Weight to be Afforded to Energy Legislation and Policy

- 3.46 The scale of the threat we face through climate change is widely acknowledged by governments across the world. The Scottish Government has recently taken the decision to declare a climate emergency, citing the need for world action to deliver transformative change. Everyone has a role to play in this global climate emergency, including businesses and local authorities. Extremely challenging targets have been set for decarbonising the economy: net zero emissions for Scotland by 2045, the most stringent target for decarbonisation anywhere in the world.
- 3.47 It is evident that there remains a strong policy drive to continue to develop renewable energy. International and national commitments have been made to address the effects of climate change and to achieve greater security in the domestic supply of energy. This in turn has directly influenced a response through the land use planning system which through national planning policy strongly encourages renewable energy development and the evidence base demonstrates that wind energy is the key renewable resource for Scotland.

- 3.48 In the balance of material considerations, it is the role of the decision maker in terms of which weight to assign to each material consideration and then potentially groups of material considerations thereafter.
- 3.49 What is clear is that at a global, European, UK and Scottish level, there is a clear and determined effort to reduce global carbon emissions. It is also abundantly clear that onshore wind energy has a very significant part to play in this. Taken and read as a whole, there is a very clear policy priority upon the deployment of renewable technology.
- 3.50 The planning system (and its decision makers) is a critical enabler of this deployment. As per the next section of this Planning Statement, planning policy (and particularly local policy) cannot keep pace with the rate of change in climate change policy and legislation however that should not mean that this becomes a barrier to deployment. It is legitimate for the planning system to take account of updated and emerging issues as material considerations in arriving at a decision.
- 3.51 The current weight to be afforded to the preceding matters is therefore, in the Applicant's view, significant.

4 NATIONAL AND LOCAL PLANNING POLICY FRAMEWORK

Introduction

- 4.1 This section sets out the planning policy framework relevant and material to the determination of the application. Consideration is given below to the following matters:
- The statutory Development Plan applicable to the Site; and
 - Other material considerations, including Supplementary Guidance, National Planning Framework 4 (NPF4), local planning guidance and relevant national policies, advice, and guidance.

NPF4

- 4.2 The Scottish Government is clear and unequivocal about the requirement for new onshore wind generation through legislation and policy.
- 4.3 The inclusion of 'Strategic Renewable Electricity Generation and Transmission Infrastructure' as a 'national development' demonstrates the importance that the Scottish Government places upon the increase in onshore renewable generation. Annex B of NPF4 provides a statement of need. This states that *"a large and rapid increase in electricity generation from renewable sources will be essential for Scotland to meet its Net Zero emissions targets."*
- 4.4 Wind farms in excess of 50MW generating capacity will comprise national development. The proposed development, at 79.2MW (plus 5MW of battery storage) exceeds this threshold and therefore be classed as a national development. Page 97 of NPF4 sets out that national developments are described as *"significant developments of national importance that will help to deliver the spatial strategy"*. It adds that *"their designation means that the principle for development does not need to be agreed in later consenting processes."*
- 4.5 There is and remains a clear support at a national level for the further development of renewable and low carbon technologies however greater emphasis has been placed on the pace at which these technologies are rolled out. It is then appropriate to examine the contents of particular policies of NPF4.
- 4.6 **Policy 1: Tackling the climate and nature crises** acts as an overarching policy which in turn filters into each individual policy detailed within NPF4, stating that when considering all development proposals, significant weight should be given to the global climate and nature crises, in order to ensure that they are recognised as a priority in all plans and decisions.
- 4.7 The intent behind Policy 1 is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. The proposed development inherently seeks to address the climate crisis by providing low carbon energy and reduces

greenhouse gas emissions by contributing to a more sustainable energy mix across Scotland.

4.8 Therefore, NPF4 introduces a key, prominent policy which states that the global climate emergency is a priority and significant weight must be attached to this. Onshore wind, as a national development, accords fully with the aspirations of this policy and can draw immediate and full support.

4.9 **Policy 2: Climate change and Mitigation** aims to encourage, promote, and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. Policy 2 states:

a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible.

b) Development proposals will be sited and designed to adapt to current and future risks from climate change.

c) Development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.

4.10 **Policy 3: Biodiversity** requires that “development proposals contribute to the enhancement of biodiversity, including where relevant restoring degraded habitats and building and strengthening nature networks”, integrating “nature-based solutions where possible”. Policy 3b) also states that national development, which the proposed development is defined as, will be ‘supported where the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention.’

4.11 **Policy 4: Natural Places** of NPF4 reinforces the need for the protection, restoration and enhancement of natural assets making best use of nature-based solutions. Part a) of this policy states that development proposals which would have an unacceptable impact upon the natural environment by virtue of type, location or scale will not be supported.

4.12 Policy Criteria is provided in 4(b) for proposals that impact upon National Parks, National Scenic Areas, SSSIs, Ramsar sites are as follows:

‘Development proposals that will affect a National Park, National Scenic Area, Site of Special Scientific Interest, or a National Nature Reserve will only be supported where:

i) The objectives of designation and the overall integrity of the areas will not be compromised; or

ii) Any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental, or economic benefits of national importance.

All Ramsar sites are also European sites and/ or Sites of Special Scientific Interest and are extended protection under the relevant statutory regimes.’

4.13 Part d) discusses impacts upon local designations and states where a site is designated as a “local nature conservation site or landscape area in the LDP, it will only be supported

where development will not have significant adverse effects on the integrity of the area and qualities for which it has been identified." Part ii) of d) states the second criteria for support, which is where "any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits or at least local importance."

4.14 Part e) states that the precautionary principle is to be applied whilst Policy 4(f) states that development proposals that are likely to have an adverse effect upon species protected by legislation will only be supported where it meets the statutory test.

4.15 **Policy 5: Soils** focuses on the protection of carbon-rich soils, the restoration of peatlands and the minimisation of disturbance to soils from development with wording as follows:

Development proposals on peatland, carbon-rich soils and priority peatland habitat will only be supported for:

- i) Essential infrastructure and there is a specific locational need and no other suitable site;*
- ii) The generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emission reductions targets;*
- iii) Small-scale development directly linked to a rural business, farm, or croft;*
- iv) Supporting a fragile community in a rural or island area; or*
- v) Restoration of peatland habitats.*

4.16 **Policy 7: Historic Assets and Places** details under part a) that "development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place". Part h) is also useful and relevant, where it is stated that development proposals affecting scheduled monuments will only be supported "where i) direct impacts on the scheduled monument are avoided, ii) significant adverse effects on the integrity of the setting are avoided or iii) exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised".

4.17 The key policy pertaining to energy is **Policy 11: Energy**, which contains the intent to "encourage, promote, and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS)."

4.18 At a local level, the policy also states that Local Development Plans (LDPs) should seek to realise their areas' full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development.

4.19 Policy 11 a) sets out that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported, which include:

- i) wind farms including repowering, extending, expanding, and extending the life of existing wind farms;*

- ii) enabling works, such as grid transmission and distribution infrastructure;*
- iii) energy storage, such as battery storage and pumped storage hydro;*
- iv) small scale renewable energy generation technology;*
- v) solar arrays;*
- vi) proposals associated with negative emissions technologies and carbon capture; and*
- vii) proposals including co-location of these technologies.*

4.20 Policy 11 reiterates support for renewable and low carbon technologies, however there is a clear and direct reference to onshore wind farms, recognising this form of energy generation as a key component to achieving the outcomes of Policy 11 as well as wider overarching climate change policy and legislation which aim to expand renewable, low-carbon and zero emissions technologies at a national level.

4.21 While repowering, extensions and expansions are also supported, the creation of new onshore wind development must be supported to ensure there is a continued pipeline of new onshore wind farm schemes, such as the proposed development, which can be revisited for future repowering, extension, and expansion. In addition, the policy also includes support for battery storage which has been included as part of the development with 5MW of storage proposed.

4.22 Policy 11 (e) provides further information on the topics which should be addressed as part of renewable, low-carbon and zero emissions technologies. It states that:

In addition, project design and mitigation will demonstrate how the following impacts are addressed:

- i) impacts on communities and individual dwellings, including, residential amenity, visual impact, noise, and shadow flicker;*
- ii) significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable;*
- iii) public access, including impact on long distance walking and cycling routes and scenic routes;*
- iv) impacts on aviation and defence interests including seismological recording;*
- v) impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
- vi) impacts on road traffic and on adjacent trunk roads, including during construction;*
- vii) impacts on historic environment;*
- viii) effects on hydrology, the water environment and flood risk;*
- ix) biodiversity including impacts on birds;*
- x) impacts on trees, woods, and forests;*

- xj) *proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration;*
- xii) *the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans; and*
- xiii) *cumulative impacts.*

- 4.23 Throughout the EIA Report, each topic listed within Policy 11 (e) has been fully assessed, in addition to the Planning Statement providing an appraisal on the level of impacts and justification for how the proposed development not only complies with existing policy but how project design and mitigation has resulted in no or limited significant effects.
- 4.24 Policy 11 states that “*in considering these impacts, significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emission targets*”.
- 4.25 A key point of policy is that Policy 11 e) ii) recognises that where some landscape and visual impacts are to be expected, localised impacts and/ or the application of appropriate design mitigation has been employed, then effects are considered to be acceptable.

Highland-wide Local Development Plan

- 4.26 On 5 April 2012, the Highland-wide Local Development Plan (HwLDP) (hereafter referred to as the Development Plan) was adopted by the Council and constituted as the Local Development Plan in law. It sets out the overarching spatial planning policy for the whole of the Highland Council area, except the area covered by the Cairngorms National Park Local Plan. However, since the adoption of the Development Plan in 2012 the national and local policy landscape has shifted considerably with the adoption of the National Planning Framework 4 (NPF4) with national policy now forming part of the statutory Development Plan for the first time.
- 4.27 A key provision legislated within section 13 of the Planning (Scotland) Act 2019 is that Section 24 of the Town and Country Planning (Scotland) Act 1997 is now amended to state that in the event of any incompatibility between a provision of NPF4 and the provision of an LDP, then whichever of them is later will prevail. In this case and at the time of writing, it is the NPF4 that should prevail over the LDP in case of any incompatibility.

Overarching Renewable Policy

- 4.28 Policy 67 is the key or ‘lead’ HwLDP policy for the assessment of onshore wind farm developments. The policy contains a number of criteria which generally address the environmental topics that are referred to in other policies within the Plan. The proposed development has been assessed against Policy 67 and the associated OWESG.
- 4.29 **Policy 67: Renewable Energy Developments** requires renewable energy developments to relate well to the source needed for its operation and sets out specific criteria THC will consider in the determination of any such application, including:

- The contribution of the proposed development towards meeting renewable energy generation targets; and
- Any positive or negative impacts a proposed development is likely to have on the local and national economy.

4.30 Policy 67 confirms that renewable energy proposals will also be assessed against other policies within the Development Plan, the Highland Renewable Energy Strategy and Planning Guidelines, and will have regard to other material considerations, including demonstration of significant benefits such as making effective use of existing and/or proposed infrastructure or facilities. The Supplementary Guidance forms part of the Development Plan and supplements its key principles, whilst the Highland Renewable Energy Strategy has since been superseded.

4.31 Policy 67 confirms that THC will support proposals for renewable energy developments where they are satisfied that they are located, sited, and designed in such a manner that they will not be significantly detrimental, either individually or cumulatively, with other developments, having particular regard to any significant effects arising on the following receptors:

- Natural, built, and cultural heritage features;
- Species and habitats;
- Visual impact and impact on the landscape character of the surrounding area (reflecting the scale and character of the landscape seeking to minimise landscape and visual impact, subject to any other considerations);
- Amenity at sensitive locations (including residential properties, workplaces, recognised visitor sites);
- Safety and amenity of (regularly) occupied properties and grounds in relation to noise, ice throw, shadow flicker and shadow throw;
- Ground and surface water, aquatic ecosystems, and fisheries;
- Aviation, defence, or emergency service operations, including flight activity, navigation and surveillance systems and associated infrastructure or on aircraft flight paths or MoD low-flying areas;
- Other communications installations or the quality of radio or TV reception;
- The amenity of users of any Core Path or other established public access for walking, cycling or horse riding;
- Tourism and recreation interests; and
- Land based traffic and transport interests.

4.32 Policy 67 includes a requirement that seeks (via a legal agreement/obligation under section 75 of the Principal Act) suitable decommissioning of any development and associated infrastructure as part of the restoration of the site.

4.33 Policy 67 requires a proposed development to be assessed against the 11 factors listed above with regard to predicted significant effects, and a judgement has to be reached as to whether or not such effects would be “significantly detrimental overall”. Each of these 11 factors is addressed in the appraisal presented within Chapter 5 of this Planning

Statement. However, the broader aims of the policy and their relation to the proposed development is presented below.

- 4.34 Firstly, Policy 67 refers to the need for renewable energy development proposals to be “well related to the source of the primary renewable resources that are needed for their operation”. The proposed development meets this requirement as the “primary renewable resource” for its operation is wind and the location is one where the wind resource is particularly good.
- 4.35 Secondly, Policy 67 states the Council will consider a proposed development's contribution “towards meeting renewable energy generation targets”. The proposal has an indicative capacity of 79.2 MW and would therefore make a valuable contribution to unmet international, UK and Scottish Government climate change and renewable electricity and energy generation targets.
- 4.36 Thirdly, Policy 67 states the Council will consider “any positive or negative effects [a proposed development] is likely to have on the local and national economy”. The proposed development would contribute to the attainment of economic development objectives at local and national levels.
- 4.37 **The Onshore Wind Energy Supplementary Guidance** offers additional details on factors which the Council will take into consideration when determining applications. The Supplementary Guidance provides a draft spatial framework which applies to all turbines over 50m in height or more than one turbine with a height of 30m and above to blade tip. This framework is in line with the adopted SPP 2014 document. The proposed development lies predominately within a Group 3 area (area with potential for wind farm development subject to other policy consideration), however there is an area which falls within Group 2 (Areas of significant protection) owing to its classification as an area of Class 2 Carbon Rich Soil and Peat (the quality of this is explored further in Chapter 10: Hydrology, Geology and Peat).

Landscape and Visual

- 4.38 **Policy 28: Sustainable Design** states that the Council will support development which promote and enhance the social, economic, and environmental wellbeing of the people of Highland'. The policy notes that the impact of proposals on individual and community residential amenity will be considered. Reference is also made to sensitive siting considerations as well as the impact on various resources including;
- Habitats;
 - Freshwater systems;
 - Species;
 - Landscape;
 - Cultural heritage, and;
 - Scenery.
- 4.39 **Policy 29: Design Quality and Place-making** requires that development proposals should demonstrate sensitivity and respect towards the local distinctiveness of the landscape.

4.40 **Policy 30 Physical Constraints** requires consideration as to whether a development proposal is located within areas of constraint as set out within the Physical Constraints Supplementary Guidance;

4.41 **Policy 61 Landscape** sets out requirements for the evaluation of potential impacts on landscape character arising from a proposed development. Landscape Character Assessments, Landscape Capacity Studies and relevant supplementary guidance shall be taken into account by THC when assessing proposed developments;

Hydrology, Geology and Peat

4.42 **Policy 55 Peat and Soils** requires development proposals to minimise the disturbance, degradation or erosion of peat and soils. A peatland management plan may be required if development on peat is clearly demonstrated to be unavoidable;

4.43 **Policy 62 Geodiversity** states that development proposals which include measures to protect and enhance geodiversity interests of international, national, and regional/local importance in the wider countryside, will be supported. The Council will also support improvement of accessibility and interpretation as an educational or geo-tourism resource, where it is possible to integrate sympathetically development, geodiversity, and other existing interests.

4.44 **Policy 63 Water Environment** states that proposals that do not compromise the objectives of the Water Framework Directive, which is aimed at supporting the protection and improvement of Scotland's water environment will be supported;

4.45 **Policy 64 Flood Risk** requires development proposals within or bordering medium to high-risk flood risk areas will need to demonstrate compliance with Scottish Planning Policy through the submission of suitable information which may take the form of a Flood Risk Assessment;

4.46 **Policy 66 Surface Water Drainage** requires all proposed developments to be drained via Sustainable Urban Drainage Systems (SUDS);

Ecology and Ornithology

4.47 **Policy 58 Protected Species, Policy 59 Other Important Species and Policy 60 Other Important Habitats and Article 10 Features** sets out requirements for development proposals to adhere to a range of criteria regarding the avoidance of detrimental impacts upon biodiversity, flora, and fauna. Consideration must also be given to any existing protected planting and wetland which have habitat and species value;

Cultural Heritage

4.48 **Policy 57 Natural, Built and Cultural Heritage** requires all development proposals to be assessed in consideration of designated heritage assets in close proximity to the development site. Furthermore, the design, layout, and massing of the development in relation to designated heritage assets must avoid detrimental impacts upon the character and setting of these assets;

Transport and Access

- 4.49 **Policy 56 Travel** requires details of on and off-site transport implications, those criteria relevant to the proposal advise proposed development's should:
- Be well served by the most sustainable modes of travel;
 - Be designed for the safety and convenience of all potential uses;
 - Incorporate appropriate mitigation, through developer contribution, if necessary, to improve and enhance all transport modes;
 - Include appropriate parking provision, and;
 - Green Travel Plans may be required for significant travel generating developments.
- 4.50 The Council will also take account of The Core Paths Plan.
- 4.51 **Policy 77 Public Access** requires developments which affect any route defined in a Core Paths plan, an access point to water or wider access rights, to maintain or enhance any existing path including its amenity value, or ensure alternative access provision is provided which is no less attractive, is safe and convenient for public use, and does not damage or disturb habitats or species. Any proposal classed as a major development will need to be accompanied by an Access Plan, indicating existing public access provision alongside proposed public access provision both during and post-construction.
- 4.52 **Policy 78 Long Distance Routes** confirms the Council and partners will safeguard and seek to enhance long distance routes.

The Caithness and Sutherland Local Development Plan

- 4.53 The Caithness and Sutherland Local Development Plan (CaSPlan) was adopted by THC in August 2018 and sets out the policies and provide a framework to guide and enable a range of levels of development.
- 4.54 The CaSPlan sets out a strategic vision for the area and includes a number of development allocations. The CaSPlan does not include any specific designations or planning policies relating to onshore wind energy developments or the Site and is not accompanied by any relevant appropriate supplementary guidance.

The Highland Council Onshore Wind Energy Supplementary Guidance

- 4.55 THC adopted its Onshore Wind Energy: Supplementary Guidance in 2016 and subsequently adopted an addendum to the supplementary guidance in 2017, entitled 'Addendum Supplementary Guidance: Part 2b Highland Strategic Capacity', hereafter referred to as 'the Supplementary Guidance'.
- 4.56 The Supplementary Guidance recognises the potential social and economic benefits onshore wind developments can bring to communities, and outlines THC's positive stance towards renewable energy developments. The Supplementary Guidance also sets out how THC will manage onshore wind energy development proposals against a range of

policy requirements in-line with Section 22 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.

4.57 The guidance for potential onshore wind developments contained within the Supplementary Guidance is broadly structured around the following topics:

- Landscape and visual;
- Public access;
- Noise assessment;
- Natural and historic environment;
- Operational efficiency of other communications;
- Operational efficiency of wind energy developments;
- Water environment;
- Peat;
- Safety and amenity at sensitive locations;
- Tourism and recreation;
- Airport, defence, and emergency service operations;
- Traffic and transport;
- Electricity and gas infrastructure;
- Borrow pits;
- Construction environmental management plans;
- Restoration bonds; and
- Repowering.

4.58 Each topic provides specific guidance to inform the nature and context of technical assessments, as well as guidance towards the acceptability of potential significant impacts arising from an onshore wind proposal. Where relevant, these policy provisions are considered further under specific topic headings in Section 5 of this Statement.

4.59 In addition to the topics listed above, Pages 18-20 of the OWESG list ten landscape and visual criteria that the Council use as a framework for assessing proposals. They are not absolute requirements but set out key considerations that proposed developments should be aware of and take into account the within design and assessment. The criteria should influence the proposals and supporting documents for any application should include the developer's assessment against these criteria. The following criteria are likely to be of particular significance:

- *1 - Relationship between Settlements/Key locations and wider landscape respected.*
- *2 - Key Gateway locations and routes are respected*
- *3 - Valued natural and cultural landmarks are respected*
- *4 - The amenity of key recreational routes and ways is respected.*
- *5 - The amenity of transport routes is respected*
- *6 - The existing pattern of Wind Energy Development is respected*

- *7 - The proposal contributes positively to existing pattern or objectives for development in the area*
- *8 - The perception of landscape scale and distance is respected*
- *9 - Landscape setting of nearby wind energy developments is respected*
- *10 - Distinctiveness of Landscape character is respected*

4.60 An assessment of the proposed development against the criteria listed above have been assessed in full in Section 5 of this Planning Statement.

5 PLANNING ASSESSMENT

Introduction

- 5.1 Following identification of the relevant planning policies, guidance and other material considerations in Section 4 of this Planning Statement, this section examines how the proposed development accords with the Development Plan, material considerations and other policy guidance considered in this statement.
- 5.2 Having regard to the relevant provisions within the Development Plan and other material considerations, the following determining issues have been identified:
- The principle of the proposed development;
 - The conformity of the proposed development against the Development Plan and supplementary guidance;
 - The acceptability of predicted environmental and other impacts arising from the Proposed Development, as assessed against the relevant Development Plan policies;
 - The consideration of other material considerations that may weigh in support of the proposed development.
- 5.3 These determining issues are considered further under the relevant headings below.

The Principle of the Proposed Development

- 5.4 By its nature, the proposed development will deliver sustainable renewable energy and make a valid contribution to low-carbon energy targets and net-zero goals.
- 5.5 The Scottish Government is unequivocal in its ambitions to continue to capture and capitalise on our natural wind resource and projects such as the proposed development make a significant contribution to achieving the renewable energy generation goals established in national policies (as set out in Section 3 of this Planning Statement). There remains a sustained and enhanced emphasis on renewable energy as a key requirement for Scotland and the UK's transition to a just, Net Zero economy. Furthermore, the proposed development will make an active contribution to achieving the net zero greenhouse gas target date of 2045, whilst promoting a sustainable and resilient form of low carbon electricity generation in the face of the climate emergency declared in 2019.
- 5.6 There is explicit policy support for the principle of onshore wind energy across the Development Plan and other material considerations, including national policy and legislation. The publication of National Planning Framework 4 (NPF4) forms the most up to date component of the Development Plan. The proposed development is considered to be of national importance due to its generating capacity of over 50MW⁵.
- 5.7 As set out in NPF4 (Page 97), national developments are defined as "*significant developments of national importance that will help to deliver the spatial strategy*", adding

⁵ The proposed development has a generating capacity of 79.2MW with an additional 5MW of battery storage

that “their designation means that the principle for development does not need to be agreed in later consenting processes”. The rationale of designating schemes over 50MW as national development is that “a large and rapid increase in electricity generation” is “essential” for Scotland to meet its net zero emissions targets. This is the case for the proposed development.

- 5.8 In addition to the proposed developments status as national development, NPF4 **Policy 1: Tackling the climate and nature crises** (arguably the primary policy within the document) is emphatic that significant weight should be given to the global climate and nature crises, in order to ensure that they are recognised as a priority in all plans and decisions.
- 5.9 The intent behind Policy 1 is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. It is evident that this overarching policy provides significant support for renewable energy generation in the need to reduce carbon emissions and by extension, support for the proposed development.
- 5.10 Given that both the Scottish Government and The Highland Council declared climate emergencies in 2019, this has reinforced the need and urgency required to act. The principle of development has clear and unambiguous support from the most current part of the Development Plan, and it is, therefore, undeniable that Scotland needs mature forms of renewable energy which can be rapidly rolled out. The proposed development fulfils all of these criteria.
- 5.11 It is, however, recognised, that development cannot come at any cost and consideration must be given to other relevant policy requirements which the proposed development has done in order to maximise energy yields whilst seeking to avoid or reduce environmental impacts. As such, details around the siting and acceptability of design and impact are dealt with in the relevant sections below.

The Acceptability of the Proposed Development

- 5.12 Having regard to the characteristics of the Proposed Development and the potential environmental effects identified and assessed within the EIAR, it is appropriate to test the policies of the Development Plan and demonstrate compliance using the evidence gathered within the EIAR. Topics include:
- Landscape & Visual;
 - Cultural Heritage;
 - Geology, Hydrology & Hydrogeology;
 - Ecology & Ornithology;
 - Noise;
 - Transport;
 - Socioeconomics and Tourism, and;
 - Other Issues.
- 5.13 These matters are considered further under the relevant subheadings below.

Landscape and Visual

- 5.14 Landscape and visual impacts are often a primary focus of wind energy developments and throughout the design evolution and assessment, potential impacts have been fully considered. As part of the accompanying EIAR, a landscape and visual impact assessment (LVIA) has been carried out and the findings are presented in full in EIAR Volume 1, Chapter 6.
- 5.15 The key planning policy relevant to onshore wind energy development and subsequently landscape and visual matters is Policy 67 of the HwLDP. Policy 67 advises that THC will support renewable energy proposals where it is satisfied that they are located, sited, and designed in such a manner that they will not be detrimental overall, either on an individual or cumulative basis.
- 5.16 NPF4 provides an updated perspective on landscape and visual matters, set out within Policy 11(e)(ii) which states that significant landscape and visual impacts are to be recognised and expected for some forms of renewable energy. It states that “*where impacts are localised and/ or appropriate design mitigation has been applied, they will generally be considered to be acceptable.*”

Siting and Design

- 5.17 As defined within the Spatial Framework for Onshore Wind Energy for the Caithness and Sutherland LDP Area, the proposed development site sits within an area classed as *Group 2: Areas of significant protection* due to the potential presence of Class 1 and Class 2 peat. However, results from a site-specific peatland classification survey show that the quality of peat on site has been degraded either through drainage, grazing/trampling, erosion, or other modification from historical land management practices with a very small portion of the Site remaining in a near natural condition. This has been considered throughout the design evolution described in EIAR Volume 1, Chapter 4: Design Evolution.
- 5.18 As described within this chapter, the Site was selected due to its strong wind resources, distance away from residential properties and established pattern of onshore wind energy development within the area.
- 5.19 The Site is located within an undesignated area of *Rounded Hills - Caithness and Sutherland* LCT with key characteristics of rolling moorland rising to form broad hills with rounded summits, generally lying around 400-500 metre high but with some higher and more pronounced hills over 700 metre high.
- 5.20 Wind farm development is now a landscape characteristic of many areas of Scotland, including the Highlands and within NatureScots description of this LCT it is recognised that wind farm development is generally associated with the more undulating and lower hills set within the interior of upland areas. This is the case for the proposed development with the undulating nature of the site and relatively simple landform used to produce a cohesive design at an appropriate scale and extent which is partially visually screened by An Stoc-bheinn (336 Above Ordnance Datum (AOD)) to the north and Meall na Tulchainn (268 AOD), which lies to the south of the Site boundary. In addition to the specific

characteristics of the Site informing the overall strategy, some general design principles were also applied. This included:

- The avoidance of overlapping or 'stacked' turbines, where possible, through careful placement in order to form a well-spaced group or array when viewed from the receiving landscape including key design viewpoints.
- The avoidance of outlying turbines which appear separate or stand apart within the landscape in order to reduce the lateral spread of the Proposed Development.
- The selection of an appropriate turbine height which respect the scale of the receiving landscape and achieves a balanced composition when viewed from the surrounding landscape whilst recognising that current wind turbine technology has progressed with larger turbines required for greater energy efficiency.
- The development of a layout which relates well to other existing and proposed wind farms within the local area, as well as being coherent in isolation.

5.21 As part of the design process, a workshop was held with THC on the 1st of February 2023 to discuss the composition of the proposed development and its relation to the surrounding landscape, particularly focusing on views from Strath Fleet and the Struie Viewpoint.

Landscape Effects

5.22 The proposed turbines and infrastructure would be located within the *Rounded Hills – Caithness and Sutherland: South of Strath Fleet* LCA which encompasses an area of between Strath Fleet to the north and Achany Glen to the west. This is typically characterised by low upland hills which are set back from Strath Fleet and Achany Glen and contained by a series of low-lying summits when viewed from low-lying areas such as the valley floors. This containment also limits the overall visibility from the *Dornoch Firth* NSA to the south / south-east where ZTV coverage is limited to the north facing slopes along the southern edge of the NSA and some open stretches of water.

5.23 Notably, all of the wind farm development within 10km and the majority beyond this distance (up to 30km) to the west, north and east are also located within the *Rounded Hills – Caithness & Sutherland* LCT, establishing a precedent for development.

5.24 The Site is not located within a designated landscape and would have limited visibility from designations in the wider area, with the closest being the nationally designated Dornoch Firth NSA which is ~8.3km distance from the nearest proposed turbine. The nearest WLAs are located ~10km distance to the northwest and northeast. The Site also has limited public access and recreational use.

5.25 Despite the lack of designation, the landscape is in a reasonable condition in terms of its representativeness, landscape interest, perceptual and scenic quality, and is considered to be of Medium local value. This is due the large landscape scale which may be more suitable for larger, modern wind turbines, a simple unenclosed land cover, limited settlements resulting in fewer visual receptors, and the influence of other wind farm development. Other factors which have influenced the sensitivity of the receiving landscape relate to forestry plantations around the Site and the wind-swept nature of the Site.

- 5.26 Most of the key characteristics of the receiving landscape are physical in nature, and these would not be affected or altered by the proposed development. Again, it is important to note that this area is already influenced by the presence of the existing Lairg Wind Farm (and consented Lairg II Wind Farm) to the west.
- 5.27 The LVIA concludes that in considering the landscape susceptibility to change, its sensitivity and the magnitude of effect, there would be significant adverse effects on the host LCT extending over a limited area up to approximately 2km north and up to approximately 3-3.5km east and south which is expected with a scheme of the size and scale of a modern onshore wind farm. When considering theoretical visibility more widely, views of the proposed development becomes fragmented and patchy beyond 10km and is mostly indicated to the south, southwest, west, and northwest of the Study Area.
- 5.28 Significant landscape effects within this range would constitute localised effects within NPF4, Policy 11(e)(ii) and would generally be expected and acceptable. Therefore, landscape effects are consistent with the provisions of the most up to date part of the Development Plan.

Visual Effects

- 5.29 The viewpoint analysis indicates that significant visual effects are likely to affect limited locations within approximately 9.5km distance from the proposed development (subject to a clear view of the proposed turbines, landform, and vegetation screening), as indicated by Viewpoints 1, 2, 4, 5, 8, 9 and 10 inclusively. This is in keeping with localised effects which are constrained to approximately 10km aligning with the conclusions of S36 Public Local Inquiries such as Achany Glen⁶ in which Reporters have deemed impacts within this distance to be 'localised', and generally acceptable in accordance with NPF4.
- 5.30 A further potentially significant effect has been identified as a precaution in the south at approximately 14.5km from the nearest turbine as illustrated by Viewpoint 12: B9176 Struie Layby. It is, however, important to note that whilst the view from Viewpoint 12 in isolation has the potential to be significant in visual terms, the effects on the integrity of the Dornoch Firth National Scenic Area (NSA) would be Not Significant.
- 5.31 Discussion on localised effects have also been reflected in recent consents such as Bunloinn Wind Farm⁷ (March 2024) which concluded that the wind farm would have significant landscape and visual impacts but overall, these would remain relatively localised with the majority of significant effects occurring within 12km of the proposed Development and none at a distance greater than 14.7km, a greater distance than that of the proposed development.
- 5.32 Additionally, the ZTV pattern for the proposed development reflects the underlying landform within the 45km Study Area and the percentages of theoretical visibility cover are summarised as follows:
- Total ZTV (to blade tip) coverage accounts for 29.28% of the Study Area;

⁶ <https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00001930&T=6>

⁷ <https://www.energyconsents.scot/ApplicationDetails.aspx?cr=ECU00003304&T=6>

- Total ZTV (to hub height) coverage accounts for 24.94% of the Study Area;
- Total ZTV (to blade tip) coverage accounts for 48.40% within 10km of the proposed development, excluding woodland / forestry; and
- Total ZTV (to hub height) coverage accounts for 40.82% within 10km of the proposed development, excluding woodland / forestry.

5.33 Significant visual effects would also be limited to the following visual receptors:

- Up to approximately 6km (24%) of the 25km section of the A839 (also Moray Firth Tourist Route) along intermittent sections between Rovie Lodge and Acheilidh for westbound users, and up to approximately 5.4km (45%) of the 12km section of the A839 (undesignated) intermittently between west of the entrance to Achany Wind Farm and the junction with the B864 for eastbound users;
- Up to approximately 5.4km of the minor, unclassified Lochbuie Road between north of Sleastary and Loch Buidhe, and between Kinnabad and Loch an Lagain, depending on the direction of travel;
- Much of the minor, unclassified Muie Road (north of the A839) for westbound users;
- Much of the minor, unclassified road between East Langwell and West Langwell, depending on direction of travel;
- Core Path SU16.03 – Ord Hill from Ord Place – from the upper slopes and summit of Ord Hill;
- Core Path SU20.05– Free Church - Ardichoncherr – Tressady – western 1.1km section of route;
- Core Path SU20.06 and SU20.07 – Morness - Mill - Little Rogart / Little Rogart – Morness - intermittent views for up to 0.7km / 0.2km sections of the routes;
- Core Path SU16.08 and SU16.09 - Braemore – Achany / Gruid's Wood - up to 3.2km / 0.3km sections of the routes;
- Scottish Hill Track 318: Aultguish Inn to Ardgay;
- Moray Firth Tourist Route – up to 7km (5.4%) of the 128km route (overlapped with the A839, A836 and B9176);
- Summits of Struie Hill and The Ord Hill.

5.34 A night-time viewpoint assessment, contained in Technical Appendix 6.3 concludes that when allowing for the embedded mitigation, none of the viewpoints would be significantly affected by the proposed aviation warning lights operating at either of the two lighting intensities, this being 200cd and 2000cd. A total of 6 out of 12 turbines would be lit with the maximum brightness only required for approximately 4% of the time.

5.35 It is the established view from both the Scottish Ministers and the Applicant (contrary to another major Developer who shares a different view), that radar detection systems which switch aviation lights on and off based on flight activity are currently not mandated by aviation regulators and it may be some time before these are available. Appropriate conditions can be applied to any consent that would allow timely review of this position.

- 5.36 Again, similarly to landscape effects, significant visual effects are intrinsic to large scale wind energy development. It is useful to look at representative significant visual effects and assess the suitability and acceptability of them in planning terms.
- 5.37 Given its importance to the overall design strategy, views from B9176 Struie Layby are considered first. From the design, all 12 turbines would be visible on the skyline beyond the Firth affecting approximately 6° of the horizontal FoV at 14.5km distance. This represents the maximum geographic distance of significant effects (see Figure 6.29 within Volume 3 of the EIA Report).
- 5.38 The lower parts of the turbines would be screened by intervening landform such that mostly upper towers and hubs would be visible, with one turbine appearing as a blade. As discussed, the turbine layout design and visual composition has been optimised from this location.
- 5.39 The design of the wind farm presents as a simple row of well-spaced turbines, visible along the skyline and appearing beyond foreground hills and would be associated with a more distant landscape beyond Dornoch Firth and the NSA. In addition, the proposed turbines would be visible at a distance of over 14km in the context of other wind farms already visible in the view. Due to the wide panoramic views, however large-scale landscape, partial landform screening, and intervening distance, the proposed development would be reasonably well accommodated in this contemporary rural view.
- 5.40 Other key views are considered to be along to A839, particularly relating to Viewpoints 1 and 5. Due to the appearance of the turbines beyond the confines of the strath and presence of other human development, the proposed development would appear reasonably well accommodated in the view, presenting as a simple and cohesive layout. The enclosing landform which expands across this route and links these two viewpoints also helps to mitigate their apparent scale due to the partial landform screening.
- 5.41 As discussed above, a design workshop was held with THC in February 2023. The comments made by THC on views from Strath Fleet focused on the character of Strath Fleet as the only Strath in the wider area that appears to be generally free from the influence of turbines. Following changes to the design, the turbines have been 'pushed back' and the number of visible turbine hubs in Viewpoint 1 has been reduced from five to three. THC also noted that a cohesive composition from the Struie layby had been achieved.
- 5.42 Significant visual effects are unavoidable with onshore wind farms by the nature of their scale and size however the proposed development has been sited and designed to provide a wind farm which despite its size and scale, has demonstrable localised significant effects which are acceptable in terms of the Development Plan and NPF4.
- 5.43 NPF4 Policy 11(e)(ii) requires consideration of whether or not the significant effects are localised. It is apparent from the ZTV, and the assessment of viewpoints as contained within Technical Appendix 6.2 of the EIA Report, that significant effects starts to dissipate at around 10km, again noting the exception of the Struie layby which is considered appropriate given the sensitivity of this viewpoint.

- 5.44 As set out above, a notable decision by Scottish Ministers in regard to what defines a localised effect can be found in the decision for Achany Extension in the Highlands, which lies approximately 17km from the proposed development and was consented in May 2023 (ECU reference ECU00001930). In this case, the Ministers found that Achany Extension would have significant effects which *“would remain relatively localised with the majority of significant effects occurring within 10km of the proposed development and none at a distance greater than 12.5km”* (Decision Notice, page 15). This is further extended to 12km by Scottish Ministers for the recent consent of Bunloinn Wind Farm, as discussed in paragraph 5.32 of this Planning Statement.
- 5.45 It would be therefore logical and follow Ministerial precedent that significant effects related to the proposed development could also be deemed as localised when following the 12km (and potentially 14.7km) precedent. Therefore, the proposed development can draw clear support from NPF Policy 11 (e) (ii) as well as other decisions made in light of the adoption of NPF4. As the most up to date strand of Development Plan policy concerning significant landscape and visual effects, this takes precedence over the 2012 HwLDP and its provisions on visual effects.

Cultural Heritage

- 5.46 Chapter 7 of the EIAR provides an assessment on the potential effects of the proposed development on cultural heritage, fulfilling Policy 7a) of NPF4 which states that development proposals with a potentially significant impact on historic assets will be accompanied by an assessment based on an understanding of the cultural significance of the historic asset. Whilst NPF4 Policy 7 provides an updated policy test, the relevant LDP policy pertaining to cultural heritage includes Policy 57 which aims to ensure the design, layout, and massing of the development in relation to designated heritage assets to avoid adverse effects upon the integrity of special qualities of international or nationally designated assets.
- 5.47 NPF4 Policy 7 continues by stating that the assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change. The inclusion of an assessment on setting of identified cultural heritage assets within an extended 10km Study Area is set out in a series of photomontages and wirelines provided from cultural heritage receptors and located in EIAR Volume 2. In addition, the Study Area was overlain with a ZTV as shown within Figure 7.1. The ZTV focused attention on assets closer to the site, primarily Scheduled Monuments. Accordingly, NPF4 Policy 7(h) sets out that development proposals affecting scheduled monuments will only be supported where:
- i. direct impacts on the scheduled monument are avoided;
 - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
 - iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.

- 5.48 Whilst the full assessment is available within Chapter 7 of the EIAR, it is considered important to discuss the assessment of heritage assets closest to the proposed development due to the nature of the proposed development and to demonstrate its compliance with policy.
- 5.49 A key cultural heritage asset is SM1812 The Ord, Chambered Cairns, Cairns, Settlements and Field Systems or 'The Ord'. This is a scheduled monument located 1.2km north-west of the Site and 5.8km northwest of the nearest turbine position (T1). The Ord is a popular knoll and hillfort destination for recreational walkers and visitors at Lairg. From a historic asset interest, the earliest features within this scheduled monument are the two great chambered cairns Ord North and Ord South, located at the summit with radiocarbon dating which indicates activity as of 4500 years ago.
- 5.50 The high importance assigned to the Ord is drawn from the archaeological and historic interest owing to the well-preserved state of the monument with the main views looking to the north and northeast across Loch Shin. The view in this direction is panoramic and includes elements of communications mast, the existing Lairg Wind Farm, telegraph poles, pylons, scattered housing, the A839, street lighting, and distant blocks of coniferous forestry and views across moorland and scrub to Loch Shin with distant Munros forming a backdrop.
- 5.51 When assessing the impact of the proposed development from this viewpoint, all 12 of the proposed turbines would be visible with eight of the turbines appearing at hub height and the upper towers visible on the remaining four turbines. The assessment within the EIAR concludes that while the proposed development would be visible, it would have no significant effects upon the Ord affecting only a single view orientation from the summit, creating a visual separation, and maintaining the Ord cairns' relationship to the surrounding landform would be unchallenged. From a cumulative position, the proposed development would fill the gap between the existing Lairg Wind Farm 'outlier' turbine and creates a cohesive cluster of turbines appearing at a similar scale. When expanding this to include Lairg II (consented) proposed development would be visible however it would fill the gap between the two, creating a cohesive cluster with minimal overlap.
- 5.52 The other Scheduled Monuments within the Study Area which were assessed in full include:
- SM1768, Balcharn, Chambered Cairn 120m W Of;
 - SM1861, East Kinnauld, Fort 1000m Ne Of Eiden;
 - SM1862, East Kinnauld School, Broch Ne Of;
 - SM1762, Achnagarron, Two Standing Stone Ne Of and MHG10614, Possible Stone Circle, Achnagarron
- 5.53 Whilst the proposed development has theoretical visibility to and from these Scheduled Monuments and would introduce new, visible, and clearly modern components to views, it is concluded that the effects on setting and integrity would result in no significant effects upon any of the specified receptors. As such, the proposed development accords with key elements Policy 7 of NPF4 as well as sub-policy NPF4 7(h)(ii) due to careful consideration put into the design of the proposed development. There is also no conflict between the provisions of the Development Plan and the findings of the EIAR.

Geology, Hydrology and Hydrogeology

- 5.54 The key policies relating to geology, hydrology and hydrogeology include NPF4 Policy 5: Soils and Policies 55, 62, 63, 64, and 66 of the Development Plan as discussed previously within this Planning Statement.
- 5.55 Policy 5 (c)ii stipulates that Development proposals on peatland, carbon rich soils and priority peatland habitat will only be supported for the generation of energy from renewable sources that optimises the contribution of the area to greenhouse gas emissions reductions targets whilst Policy 5(d) outlines that development on peatland, carbon-rich soils or priority peatland, a site-specific assessment will be required to identify:
- i. the baseline depth, habitat condition, quality, and stability of carbon rich soils;
 - ii. the likely effects of the development on peatland, including on soil disturbance; and
 - iii. the likely net effects of the development on climate emissions and loss of carbon
- 5.56 Potential impacts upon peat, set out in full in Chapter 8 of the EIAR, have been assessed via extensive baseline data collection through Phase 1 and Phase 2 surveys (undertaken in 2022 and 2023) along with supplementary ecological information to classify areas of potential groundwater dependence and the quality of peat within the site.
- 5.57 The EIAR concludes that no significant potential effects on hydrological, geological and peat receptors have been predicted when taking account of mitigation by design and embedded mitigation such as the application of a Construction and Environmental Management Plan (CEMP) and floated roads over areas of deeper peat. Additionally, design mitigation of the proposed development has minimised potential for adverse effects upon watercourses via implementing a 50m design buffer and reducing watercourse crossings as far as possible, with a total of two proposed across the Site.
- 5.58 In total 1,144 peat probes were advanced across the Site between January and March 2023 (Phase 2), and approximately 600 in June 2022 (Phase 1) with probing confirming that extensive deep (>1m) peat is generally limited to central and south-eastern areas of the site with isolated pockets elsewhere. As part of the design evolution and discussions with SEPA, significant amendments were made to the scheme in order to avoid these areas where possible. A third phase of peat probing (Phase 2b), using the probing patterns described above, was completed by RPS in March 2023 following the amendment of the infrastructure alluded to by SEPA.
- 5.59 Following a change to the proposed design layout due to further consultation and collaboration with the tenanted crofters, a fourth phase of peat probing (Phase 2c) was completed by Wildlife Consulting in February 2024. These additional probing works were predominantly undertaken in northern and southern parts of the site and focussed on areas that would be subject to development, but had not been probed during previous investigation works.
- 5.60 The results of the peat probing show that 5 of the 12 turbines are sited on 'peaty soil' rather than peat (<0.5m) while the remaining seven are sited on peat recorded at depths ranging from 0.5m to 1m, therefore defined as peat, but not deep peat. All other

infrastructure elements (construction compound, substation and borrow pit search areas) are sited on areas where the average peat depth is also less than 1.0m.

- 5.61 Extensive design iteration works were undertaken to avoid siting turbines or other infrastructure on deep peat resulting in areas of deep peat being avoided in the siting of all turbine / hardstanding areas. Proposed new track sections are generally sited on areas where peat depth is less than 1m. Thicker peat deposits have been identified in the central area of the site, particularly between T5 and T7, although care has been taken to avoid the deepest areas of peat to the east of the track in this area. Some thicker peat deposits have also been recorded in the north of the site, particularly in the area to the west of T1 and in the area between T1 and T2.
- 5.62 From a review of SNH's Carbon Rich Soils and Peatland map, the majority of site is designated and consequently the footprint of development has been categorised as Class 1 and 2 peat. However, the Carbon Rich soils, and peatland mapping exercise contain an allowance for these classifications to change should detailed and site-specific survey determine that conditions are different.
- 5.63 As such, Technical Appendix 9.1 contains an assessment of peatland condition within the Site boundary. The survey concludes that the quality of peat on site has been degraded either through drainage, grazing/trampling, erosion, or other modification from historical land management practices with a very small blanket bog community remaining in a near natural condition. Through design, the proposed development has avoided a significant majority of the most sensitive and high-quality peat forming peatland areas with a direct loss of only 1.79% of very high value blanket bogs prior to reinstatement and enhancement works. Following reinstatement and enhancement direct effects are considered to be not significant.
- 5.64 This is explored more thoroughly within the EIA and its associated appendices, specifically Chapter 8 of the EIAR and Technical Appendix 8.2: Outline Peat Management Plan.
- 5.65 Based on an extensive peat survey programme, the proposed development layout, including turbines and associated infrastructure, has been designed to avoid the areas of deep peat identified, wherever possible, and areas where peat landslide may occur. The Peat Slide Risk Assessment states that hazard from peat slide on the site is also considered to be low. As such, compliance with NPF4 is apparent through the design principles applied throughout the evolution of the proposed by firstly avoiding and then minimising disturbance to soils as well as protecting soils from damage.
- 5.66 The draft Peat Management Plan also demonstrates that peat can be retained onsite, and no peat will be removed from the site whilst Outline Habitat Management identifies areas of peatland outside of the main turbine area which would be subject to restoration, offering carbon and habitat benefits.
- 5.67 Accordingly, with appropriate and standard construction controls there are not anticipated to be significant effects upon hydrology, geology, or peat, and therefore the proposed development accords with the Development Plan and the relevant policies of NPF4.

Ecology and Ornithology

- 5.68 Chapters 9 and 10 of the EIAR provide an assessment of the potential effects of the proposed development on ecological and ornithological interests, respectively. From review of the NPF4, Policy 3: Biodiversity and Policy 4: Natural Places of the NPF4 comprise up to date and relevant Development Plan policies whilst HwLDP, policies 58, 59 and 60 are all relevant. The general policy requirements are to conserve, protect and where possible enhance biodiversity and designated sites.
- 5.69 The site has been designed to limit impacts upon watercourses and fish within them, by adhering to 50m buffers from any watercourse, and by managing runoff via a Construction and Environmental Management Plan (CEMP). Individual Species Protection Plans will be prepared as required, along with monitoring by a qualifying Environmental/Ecological Clerk of Works.
- 5.70 Collision risk for all bird species resulted in no significant effects identified. There were also no identified significant effects upon bat species across the Site.
- 5.71 An Outline Habitat Management Plan (OHMP (Technical Appendix 9.3) is provided within Volume 4 of the EIA Report, and details measures for the protection and enhancement of various sensitive receptors as well as an Outline Deer Management Plan. The OHMP also includes provision for the restoration of peat, alongside the Peat Management Plan.
- 5.72 Following the implementation of good practice, embedded design mitigation, and detailed additional mitigation as per the OHMP, no significant effects are predicted upon ecological or ornithological receptors. Enhancement are made to peatland habitat through the OHMP. In addition, a Biodiversity Net Gain (BNG) assessment following the proposed completion of peatland restoration measures at the Acheilidh site is set out in Technical Appendix 9.4. Following NatureScot guidance⁸, the proposed development has sought to achieve the recommended 1:10 (lost: restored) ratio of restoration to achieve offsetting. Through the BNG assessment, the proposed development exceeds this figure.
- 5.73 Accordingly, there is no conflict with the policies of the Development Plan in this regard and the contribution of peatland restoration within the Outline HMP provides a key requirement of Policy 3 which states that states that national development proposals will be supported where it can be demonstrated that the proposal will conserve, restore, and enhance biodiversity, so they are in a demonstrably better state than without intervention and Policy 4 in contributing to enhancement of biodiversity, restoring degraded peat habits, and noting the need for restoration.

Noise

- 5.74 An assessment was undertaken to consider potential noise effects associated with the proposed development, the findings of which are presented in Chapter 11 of the EIAR.
- 5.75 Operational noise effects have been assessed using the methodology described in ETSU-R-97 (ETSU) and the proposed Development in isolation would comply with the simplified

⁸ <https://www.nature.scot/doc/advising-peatland-carbon-rich-soils-and-priority-peatland-habitats-development-management>

criterion of 35 dB, LA90,10min described in ETSU-R-97 and cumulative effects would not significantly exceed full ETSU limits based on background noise. In both scenarios, the proposed development will comply with the required noise limits at all receptor locations.

- 5.76 Best practice measures will be employed to manage noise during the construction and decommissioning stages of the proposed development, and no effects associated with these stages are considered to constitute significant effects. Construction noise will be limited in duration and confined to working hours as specified by THC and can therefore be adequately controlled through the application of good practice measures and secured by an appropriately worded planning condition. Noise during decommissioning will be of a similar nature to that during the construction phase and will be managed
- 5.77 The proposed development is therefore not considered to represent any significant impact to nearby noise receptors, either in isolation or cumulatively.
- 5.78 When referring to relevant policy, NPF4 Policy 11(e) states:

'...project design and mitigation will demonstrate how the following impacts are addressed:

i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise, and shadow flicker;'

- 5.79 Accordingly, the proposed development complies with the policies outlined in NPF4, HwLDP policies 67 and 72 as well as the provisions of THC's Onshore Wind Energy Supplementary Guidance.

Traffic and Transport

- 5.80 The relevant policies within the Development Plan are Policies 56, 77 and 78 which aim to maintain and improve connectivity, public transport, and ensure Traffic Impact Assessments are undertaken where required in order to preserve the performance and safety of the road network. This is in addition to Policy 67 which also considers traffic and transport related access as well as public access.
- 5.81 Chapter 12 of the EIAR addresses the proposed developments effects on Traffic and Transport. It concludes that the construction programme associated with the proposed development is anticipated to cover an 18-month period, during which 4,473 HGVs would access the Site equating to 45 daily total HGV trips during the busiest construction month (Month 6) whilst the movement of abnormal loads is not anticipated to exceed six trips per week over the course of four months.
- 5.82 The movement of abnormal loads traffic would also require small scale and temporary remedial works at a number of locations along identified delivery route.
- 5.83 Following an assessment of the road network, significant issues prior to mitigation have been noted particularly for users of the A836 which would result in delays to road vehicle users, pedestrians, and severance of communities Through the use of traffic management measures and the successful implementation of these measures, the effects can be considered as non-significant.

5.84 It should be noted that the increased traffic is temporary in nature and can be accommodated by the existing road network. Effective management through the implementation of a Construction Traffic Management Plan can also be achieved. The CTMP will ensure that the volume of HGV trips is minimised as much as possible restricting travel during peak periods or at the start/end of the school day and that they adhere to a lowered speed limit. Additionally, the CTMP will ensure that there is signage along the construction routes to make residents aware of the additional HGV traffic and to provide the opportunity to plan accordingly. Each of these measures will contribute to minimising the level of effect experienced by residents in Pittentrail, Lairg and Bonar Bridge and the isolated properties along the routes.

5.85 As such, it is considered that the relevant policies are adhered to with the assessment demonstrating that there is capacity on the road and there would be no significant effects. Accordingly, the proposed development does not conflict with the Development Plan in this regard.

Socio-economics

5.86 An assessment of the proposed development towards socioeconomic and tourism receptors has been undertaken and the findings of this are presented as Chapter 13 of the EIAR with Policy 67 being the most relevant policy from the Development Plan.

5.87 In addition to Policy 67, under Policy 11(e)(iii), NPF4 addresses that renewable energy developments will only be supported by the Scottish Government when the project's design and mitigation strategy show consideration of any impacts to public access. Policy 11(c) also addresses that renewable energy developments will only be supported where they:

"maximise net economic impact, including local and community socio-economic benefits such as employment, associated business, and supply chain opportunities."

5.88 Following the assessment, it is concluded that up to £14.5 million will be spent within the local economy, £40 million within the Scottish economy and £52 million within the UK economy. Up to 107 jobs will be created across the Highlands.

5.89 In addition to spending within the local economy, the Local Value Added (LVA) contribution to the local economies and the Gross Value Added (GVA) contribution to the regional, national, and overseas economy would account for up to £6.3 million in LVA with GVA contribution totalling £17.5 million within Scotland, £22.7 million within the UK and £24.4 million within the overseas economy.

5.90 As part of the proposed development, a community benefit package in line with prevailing Scottish Government guidance would be delivered during the operational phase of the proposed development. The Applicant is supportive of all potential uses of the community benefit package but recognises that it will be for local communities to decide on how to achieve the greatest benefits. The commitment to maximising net economic gain for the Highlands reinforces that the proposed development accords with policies set out in both NPF4 and the Development Plan.

Other Issues

- 5.91 Chapter 14 of the EIAR outlines the assessment of the proposed development against a variety of 'other issues', including infrastructure, aviation and radar, health and safety, telecommunications and television, and shadow flicker. An assessment on the proposed developments impact on the native woodland plantation is also included in this chapter.
- 5.92 An aviation lighting scheme has been agreed with the CAA due to the height of the proposed turbines. In addition to this further dialogue was held with the MoD regarding potential impacts upon Lossiemouth. A conclusion that the proposed development will have no operational impact was reached and agreed.
- 5.93 As set out within, The Highland Council Onshore Wind Energy Supplementary Guidance (November 2016) onshore wind energy schemes should be designed to avoid causing shadow flicker at regularly occupied buildings not associated with the development.
- 5.94 Whilst there is no standard guidance for assessing shadow flicker in Scotland, as per THC guidance, a shadow flicker assessment is required if any regularly occupied properties not associated with the development lie within 11x rotor diameter of the wind farm which would give an allowance of 1705m where effects may occur. Given the separation distances between occupied properties and the proposed development (exceeding 2km), it is unlikely that significant effects relating to shadow flicker would occur.
- 5.95 In terms of ice throw, modern wind turbines are designed and manufactured to withstand the most extreme weather conditions which arise in the UK in terms of wind speeds, turbulence, and temperature. Properly designed and maintained wind turbines are a safe technology and the likelihood of the occurrence of ice throw, given the history of the industry, is very low.
- 5.96 The results of the Carbon Calculator show that the proposed development is estimated to produce annual carbon savings in the region of 51,845 to 52,132 tonnes of CO₂e per year with carbon losses and gains estimating a total loss of between 126,145 and 182,631 tonnes of CO₂e. This is mainly due to embodied losses from the manufacture of the turbines and provision of backup power to the grid, which should be minimised through the provision of on-site energy storage.
- 5.97 The estimated payback time of the Proposed Development, using the Scottish Government Carbon Calculator, is estimated at 2.9 years, with a minimum/maximum range of 1.9 to 3.5 years. The carbon intensity of the electricity produced by the Proposed Development is estimated at 0.017 kgCO₂e/kWh. This is below the outcome indicator for the electricity grid carbon intensity of 0.05 kgCO₂e/kWh required by the Scottish Government in the Climate Change Plan (2018-2032) and therefore the proposed development is evaluated to have an overall beneficial effect on climate change mitigation. This line of assessment links to NPF4 Policy 5 which states that the likely net effects of the development on climate emissions and loss of carbon should be included as part of a site-specific assessment.

THC Onshore Wind Energy Supplementary Guidance

- 5.98 Although it is not part of the Development Plan, assessment against the principles contained within the Onshore Wind Energy Supplementary Guidance (OWESG) is important to determine the balance that should be afforded to the OWESG and to what extent the proposed development accords with its provisions.
- 5.99 THC provide initial commentary on the proposed developments compliance with the 10 criteria set out below during the design workshop held in February 2023. THC concluded that Criteria 1: in relation to effects on settlements was respected but expressed concerns in relation to Criteria 6-9 regarding the existing pattern of wind farm development. Considering the design of the proposed development and its relationship to the baseline cluster of wind farm development which includes Lairg, Lairg II and Garvary, it is considered that these criteria are generally respected. This takes account of various cumulative design scenarios that consider combinations of Lairg, Lairg II, Garvary and the proposed development and the tendency for the proposed development to take on a more subdued visual role in this group, often appearing beyond other developments.
- 5.100 THC have interpreted Criteria 2 and 10 as related to the lack of wind farm development visible from Strath Fleet. Further design evolution has reduced the effects on this Strath such that the 'non-wind farm' character of the majority of Strath Fleet would be preserved. While no comments were made in relation to Criteria 3, 4 and 5, THC noted that assessment of the NSA, Ben Klibreck, The Ord and a series of transport and recreational routes would be required with all of these receptors assessed within the LVIA chapter.

Table 5.1: THC OWESG Landscape and Visual Criteria

Criteria	Measure		Comments / Outcome
(Quoted from THC's <i>Onshore Wind Energy Supplementary Guidance</i> , pages 18-20)			
Criterion 1: Relationship between Settlements / Key locations and wider landscape respected.			
<i>Relationship between Settlements / Key locations and wider landscape respected.</i>	<i>The extent to which the proposal contributes to perception of settlements or key locations being encircled by wind energy development.</i>	✓	The proposed development lies approximately 7.6km to the south-east of Lairg ⁹ . ZTV analysis indicates that there would be no theoretical visibility from the main area of the settlement along the A839 apart from a small area near the junction with the A836, and partial visibility of between one and nine turbines where visibility is indicated to the north (Lochside) and west (The Ord) of the settlement.
<i>Development should seek to achieve a threshold where:</i>	<i>Turbines are not visually prominent in the majority of views within or from settlements/Key Locations or from the majority of its access routes.</i>	✓	As such, there would be no significant visual effects on any settlements within the Study Area.
Criterion 2: Key Gateway locations and routes are respected			
<i>Key Gateway locations and routes are respected.</i>	<i>The extent to which the proposal reduces or detracts from the transitional experience of</i>	✓	Viewpoints from the A839 have been a key consideration in the overall design strategy for the proposed development.

⁹ When measured from the centre point of the Site.

Criteria	Measure		Comments / Outcome
	key Gateway Locations and routes.		Significant visual effects are restricted to the views from short sections of the route. From the A839, significant visual effects would be experienced between 3-5 minutes experienced by westbound road users between Rovie Lodge and Acheilidh (see Volume 1, Chapter 6 of the EIAR).
Development should seek to achieve a threshold where:	Wind Turbines or other infrastructure do not overwhelm or otherwise detract from landscape characteristics which contribute the distinctive transitional experience found at key gateway locations and routes.	✓	However, the proposed development would not detract from any landscape characteristics which contribute a 'distinctive transitional experience' through the landscape from both main routes. This is particularly due to screening from roadside vegetation and the presence of other man-made elements visible from along these routes. The A836 has also been considered with no significant effects identified along this route.
Criterion 3: Valued natural and cultural landmarks are respected			
Valued natural and cultural landmarks are respected.	The extent to which the proposal affects the fabric and setting of valued natural and cultural landmarks.	✓	There are no World Heritage Sites, Gardens and Designed Landscapes, or Conservation Areas within the 10km of the proposed development, however, there are five Scheduled Monuments that have been assessed.
Development should seek to achieve a threshold where:	The development does not, by its presence, diminish the prominence of the landmark or disrupt its relationship to its setting.	✓	The proposed development would not significantly impact the fabric and setting of valued natural and cultural landmarks. In particular, the fabric and setting of The Ord would not be compromised by the proposed development (see Volume 1, Chapter 7 of the EIAR). The proposed development has also been designed to avoid known heritage assets and those identified by the baseline study.
Criterion 4: The amenity of key recreational routes and ways is respected			
The amenity of key recreational routes and ways is respected.	The extent to which the proposal affects the amenity of key recreational routes and ways (e.g. Core Paths, Munros and Corbetts, Long Distance Routes etc).	✓	When considering the entire 128km Moray Firth Tourist Route, significant visual effects would be limited to short, intermittent sections. Westbound users of the route (overlapped with the A839) along Strath Fleet between Rovie Lodge and Acheilidh would experience views for approximately 6km of the route whilst southbound users of the route (overlapped with B9176) around the northernmost Struie layby would experience views for up to 1km of the route.
Development should seek to achieve a threshold where:	Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of key routes and ways.	✓	

Criteria	Measure		Comments / Outcome
			These significant visual effects (up to 7km) would equate to ~5% of the entire 128km route. Assuming an average speed of 50mph these significant views would be experienced intermittently for a total period of approximately 5-6 minutes experienced by westbound road users between Rovie Lodge and Acheilidh along Strath Fleet (A839) and up to 1km around the northernmost Struie layby on the B9176. There would be no significant visual effects from the section of the route that overlaps with the A836. Core paths around Lairg would experience significant visual effect however visibility along these routes varies due to intervening landform and vegetation. With the exception of SU16.03 these routes are routed or partially routed through woodland or forestry or are surrounded by built form. As a result, visibility across the surrounding landscape is filtered or limited by surrounding foreground trees or buildings. Core Paths within Strath Fleet and in particular to the south of the strath are mostly screened by the valley sides with views only available from minor summits towards the top of the valley.
Criterion 5: The amenity of transport routes is respected			
<i>The amenity of transport routes is respected.</i>	<i>The extent to which the proposal affects the amenity of transport routes (tourist routes as well as rail, ferry routes and local road access).</i>	✓	Visibility along the A839 along Strath Fleet is limited to short sections with ZTV coverage indicating partial theoretical visibility of between one and six turbines between Rovie Lodge and Acheilidh (for approximately 6km of the total 25km section of the route) and between west of Rhaoine and east of Lairg (for approximately 4.8km of the total 25km section of the route). Assuming an average speed of 50mph these significant views would be experienced intermittently for approximately 3-5 minutes experienced by westbound road users between Rovie Lodge and Acheilidh. Due to the length and partially wooded / forested nature of the strath, visibility of the proposed development would vary as the distance, screening, and perceived scale of the turbines in the landscape changes. The quality of the wind farm design also limits the potential for adverse effects on the amenity and visual appeal of these
<i>Development should seek to achieve a threshold where:</i>	<i>Wind Turbines or other infrastructure do not overwhelm or otherwise significantly detract from the visual appeal of transport routes.</i>	✓	

Criteria	Measure		Comments / Outcome
			routes, with the wind farm being capable of being appreciated as an object in the landscape in its own right.
Criterion 6: The existing pattern of Wind Energy Development is respected			
<i>The existing pattern of Wind Energy Development is respected.</i>	<i>The degree to which the proposal fits with the existing pattern of nearby wind energy development, considerations include: Turbine height and proportions, density and spacing of turbines within developments, density and spacing of developments, typical relationship of development to the landscape. previously instituted mitigation measures Planning Authority stated aims for development of area.</i>	✓	The proposed development would appear as a clearly recognisable scheme that 'fits' with the simplicity of the local landscape character, such that the aesthetics and visual composition of the turbines (appearing as a simple and reasonably balanced composition) can be appreciated in their own right where visible. The simple visual composition of the turbines reflects the character of the Rounded Hills – Caithness and Sutherland LCT and the pattern of other existing and consented wind farm development nearby. As part of the design strategy for the proposed development, special attention was paid to the visual composition of the turbines and the cumulative appearance alongside the Garvary application from Viewpoint 12: B9176 Struie Layby in the NSA. This has ensured the turbine composition would appear as a simple, cohesive, and ordered layout when viewed from the NSA viewpoint, both in isolation and cumulatively. The height of the turbines is also considered to fit with the large-scale landscape setting of its location. Design consideration was also given to the cumulative design of the neighbouring wind farms including Lairg, Lairg II and Garvary. Considering the design of the proposed development and its relationship to the baseline cluster of wind farm development which includes Lairg, Lairg II and Garvary, it is considered that these criteria are generally respected
<i>Development should seek to achieve a threshold where:</i>	<i>The proposal contributes positively to existing pattern or objectives for development in the area.</i>	✓	
Criterion 7: The need for separation between developments and / or clusters is respected			
<i>The need for separation between developments and / or clusters is respected.</i>	<i>The extent to which the proposal maintains or affects the spaces between existing developments and / or clusters.</i>	✓	The proposed development is located approximately 1.8km from the consented Lairg II Wind Farm, 2.2km from the existing Lairg Wind Farm and 869m from the proposed Garvary Wind Farm. The distance between the proposed development and Lairg II also stands as a

Criteria	Measure		Comments / Outcome
Development should seek to achieve a threshold where:	The proposal maintains appropriate and effective separation between developments and / or clusters.	✓	benefit by maximises energy production whilst minimising the footprint of the development through the use of the consented access tracks.
Criterion 8: The perception of landscape scale and distance is respected			
The perception of landscape scale and distance is respected.	The extent to which the proposal maintains or affects receptors' existing perception of landscape scale and distance.	✓	The proposed development would not adversely affect the receptors' existing perception of landscape scale and distance, being located within a suitably large scale landscape (Rounded Hills – Caithness and Sutherland) and designed to appear as a simple and balanced wind farm, the scale of which is distinctly separate from other existing wind farm developments in this area such that perceptions of intervening distance and scale are maintained, and is set back beyond the smaller scale straths and glens.
Appearance Development should seek to achieve a threshold where:	The proposal maintains the apparent landscape scale and / or distance in the receptors' perception.	✓	
Criterion 9: Landscape setting of nearby wind energy developments is respected			
Landscape setting of nearby wind energy developments is respected.	The extent to which the landscape setting of nearby wind energy developments is affected by the proposal.	✓	In total, 19 of the 21 of the LVIA viewpoints involve the cumulative visibility of other wind farms, in particular the existing Lairg, the consented Lairg II Wind Farm and the application Garvary Wind Farm, creating a cluster of wind farm development. The proposed development has a reduced landscape and visual impact from most viewpoints and cumulative effects viewed from Viewpoints 4, 8, and 10 which tend to result more from other wind farm development which appears to the fore of the proposed development.
Development should seek to achieve a threshold where:	Proposal relates well to the existing landscape setting and does not increase the perceived visual prominence of surrounding wind turbines.	✓	The proposed development has a reduced landscape and visual impact from most viewpoints and cumulative effects viewed from Viewpoints 4, 8, and 10 which tend to result more from other wind farm development which appears to the fore of the proposed development. Considering the design of the proposed development and its relationship to the baseline cluster of wind farm development which includes Lairg, Lairg II and Garvary, it is considered that these criteria are generally respected. This conclusion takes account of various cumulative design scenarios that consider combinations of Lairg, Lairg II, Garvary and the proposed development and the tendency for the proposed development to take on a more subdued visual role in this group, often appearing beyond other developments.

Criteria	Measure		Comments / Outcome
Criterion 10: Distinctiveness of Landscape character is respected			
<i>Distinctiveness of Landscape character is respected.</i>	<i>The extent to which a proposal affects the distinction between neighbouring landscape character types, in areas where the variety of character is important to the appreciation of the landscape.</i>	✓	The proposed development would be located within the Rounded Hills – Caithness and Sutherland LCT with the 'simple' turbine layout being more suitable to the underlying landform and simpler landscape character with theoretical visibility being patchy throughout area, occurring along the elevated southern edge and towards the northern edge of the LCT.
<i>Development should seek to achieve a threshold where:</i>	<i>Integrity and variety of Landscape Character Areas are maintained.</i>	✓	The proposed development is comparable to other inland clusters in that it is set back from the straths and avoids the higher mountains. In common with other existing and consented wind farm development, it is located within the Rounded Hills - Caithness and Sutherland LCT. As such, none of the key characteristics of this LCT would be notably affected by the proposed development. Another LCT within 10km of the proposed development is the Strath Fleet LCA. The Strath Fleet LCA is typical of the key characteristics of Strath – Caithness and Sutherland LCT. None of the proposed turbines would be located within this LCA, The nearest turbine would be located approximately 1.8km to the south, and the physical characteristics of the Strath would remain unchanged by the introduction of the proposed development. Due to the length and partially wooded / forested nature of the glen, potential effects from the proposed development would vary as the distance, screening, and perceived scale of the turbines in the landscape changes. As such, the overall varied visibility of the turbines from within this LCT, it is not considered that the proposed development would significantly alter the key characteristics of this landscape overall.

6 CONCLUSION

- 6.1 This document provides a clear policy and legislative support for renewables and specifically onshore wind energy as a principle, in order to reach our Net Zero obligations by 2045 as set out in law.
- 6.2 The Scottish Government is clear and unequivocal about the requirement for new onshore wind generation through legislation and policy. Between 8 and 12 GW of new generation needs to be deployed before 2030. This is the equivalent to between 90 and 140 new wind farms the size of the proposed development, across Scotland which demonstrates the size and scale of the task at hand.
- 6.3 NPF4 also provides a clear policy direction towards addressing the climate emergency (Policy 1) and removing barriers to rapid deployment of onshore wind as well as focusing on development which can not only mitigate climate change but adapt to future challenges (Policy 2) through the reduction of emissions and the creation of a more sustainable energy mix in order to move away from the use of fossil fuels.
- 6.4 Both the Scottish Government and the Highland Council are supportive of the principle of onshore wind with each respectively declaring climate emergencies in 2019. The principle is not in doubt however the pace of change and deployment needs to be accelerated to meet the fast approaching and challenging 2030 interim targets.
- 6.5 Given the nature of the proposed development drawing immediate support from its designation as a national development, coupled with the significant increase of proposed onshore wind, national policy provides an overwhelmingly supportive background to decision making.
- 6.6 However, it is recognised that development cannot come at any cost and careful consideration has been given to all the topics set out within the EIAR. The merits of the proposed development have been assessed within this document and an analysis against the policies set out within the HwLDP as well as the OWESG and NPF4 as organised by the conclusions drawn within the EIAR has been carried out. It is important to note the NPF4 forms the newest part of the Development Plan and therefore is to be given primacy where any parts of the development plan are not in tandem.
- 6.7 It is therefore a question of siting and design, and associated policy, upon which the acceptability of this proposed development must be based.
- 6.8 The design in this area of the Highlands is key. As such, the design strategy has aimed to reduce lateral spread and provide even spacing as far as possible across the landscape. A key focus of the design has been to limit impacts on the Dornoch Firth National Scenic Area with the proposed development including embedded mitigation which has addressed the visual composition of the proposed turbines as seen from the Struie Viewpoint, ensuring a simple and cohesive turbine composition that would fit with the scale of the landscape as seen in the panoramic views from this location.

- 6.9 Cognisance of the cumulative impacts within the area has also been considered and the design of the proposed development has sought to apply similar design principles to fit with the existing, consented, and proposed pattern of development. This is apparent through the Design Evolution set out within Chapter 4 and 6 of the EIA Report, as well as the Design and Access Statement and within Volume 3: NatureScot Visualisations and Volume 5: THC Visualisations.
- 6.10 Significant visual effects are likely to affect limited locations within approximately 9.5km distance from the proposed development (subject to a clear view of the proposed turbines, landform, and vegetation screening). This is in keeping with localised effects which are constrained to approximately 10km aligning with the conclusions of recent S36 Public Local Enquiries in which Reporters have deemed impacts within this distance to be 'localised', and generally acceptable in accordance with NPF4.
- 6.11 In addition to the design of the proposed development, the Applicant is committed to providing community benefit in line with the prevailing Scottish Government guidance with the proposed development also creating jobs and spending within the local economy. Although the community benefit package is not a material planning consideration per se, the resultant potential socio-economic benefit is significant, and ties in with the clear NPF4 policy wording around maximising net economic benefit.
- 6.12 In conclusion, the Scottish Government has made it clear that wind energy should be deployed in a timely manner to reach 2030 net Zero interim targets if we have any chance of becoming Net Zero by 2045 as is set out by law. The Development Plan is in situ and is what a decision should be based on, however material considerations play a strong role in reaching a conclusion of acceptability. If we require a further 8-12GW of new onshore deployment by 2030, the planning and consenting system must play its role in facilitating this in situations where the local or regional policy background has not yet caught up.
- 6.13 This is the case for the proposed development. Planning policy at the Highland Council has not yet caught up with the new reality. This is not the fault of the Council, but the reality remains that the policy upon which the assessment is being made is now over 10 years old in the case of the Local Development Plan and more than 5 years old for the OWESG.
- 6.14 In light of other material considerations including the need for Net Zero in law, it is the view of the Applicant that the case for the proposed development is therefore very strong in line with the tilted balance consideration above and the fact that the proposed development largely accords with the Development Plan as well as NPF4 policies. In respect of NPF4, recent decisions in 2023 since its adoption clearly and unequivocally change the goalposts for the consenting of wind farms, with an overwhelming policy position in favour of onshore wind.
- 6.15 At the time of writing, several S36 wind farms across Scotland have been approved since NPF4 was adopted, with Reporters noting that matters have shifted considerably in policy terms.
- 6.16 Fundamentally, the proposed development can draw support from NPF4, LDP and OWESG in terms of the siting and design of the wind farm. With the use of the mitigation measures which have been carefully inbuilt to the development and the additional mitigation

measures that have been supplied within Chapter 15 of the EIA Report (and would be subject to planning condition).

- 6.17 Despite this it is concluded that the proposed development when considered within a planning balance is in general accordance with the Development Plan, is in accordance with national policy and is in strong accordance with other relevant material considerations.
- 6.18 It is respectfully requested that the Scottish Ministers, The Highland Council and other relevant consultees, stakeholders, and members of the public support this application for the reasons stated within this document and based on the evidence collected within the EIAR.

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